

A CLOSER EVALUATION OF CAPITAL PUNISHMENT: VIEWING EXECUTIONS
THROUGH THE LENS OF FORMER PRISON EMPLOYEES

A Dissertation

by

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ABSTRACT

This dissertation examined the impact capital punishment has on the prison employees who worked with executions in the State of Texas. Qualitative methodology with an emphasis on critical ethnography was used to collect the data for this study and assist with the analysis. The effects of capital punishment were captured through interviews with retired prison employees who reflected on their past experiences in retrospect. Political and religious orientations, as well as perceptions of racism in U.S. society were used as key variables to identify changes across time. Training, safety and support services provided by the prison were also examined.

The dehumanization processes of capital punishment for both the prison inmates and employees were of central concern for this study. Grounded theories were used to assist with the analysis on how the powerful socialization processes were influential to leading the participants in this study to agree to work with executions, despite their own personal beliefs on capital punishment. Erving Goffman's "Dramaturgical Theory" focused on layered settings of the total institutions as related to the death penalty, and the many roles operating within. James Marquart, Sheldon Ekland-Olson, and Johnathon R. Sorenson's "Implicit Theory of Race" assisted with insight to how the participants in this study had come to enforce laws that upheld racism and other forms of social exclusion for the State of Texas. And George Ritzer's "McDonaldization Theory" provided assistance in understanding how the irrationality of capital punishment was the result of rational processes involving efficiency, calculability, and predictability.

The findings revealed that Protestant religious traditions that espoused pro-death penalty beliefs were used as the chief authority for capital punishment in Texas and only chaplains who subscribed to such orientations were the primary sources of support the prison referred the workers to for coping with any negative effects. Religious and political orientations remained consistent for all participants in this study. Those who held pro-death penalty positions were raised in religious traditions that taught capital punishment is consistent with the Bible, while those who were anti-death penalty were raised in traditions that did not support capital punishment. While the political orientations varied with all participants, all had concluded they would not be bothered if capital punishment were abolished.

DEDICATION

To Reverend Carroll Pickett, For Your Courage, Activism, Education, & Allegiance to the Precepts of Forgiveness & Mercy;

To the Participants in this Study, May Peace Be With You Always;

To My Husband, James, & My Children, Shaunte', Matthew, Rochelle & Emory, Natacia, & J.J., for Your Patience, & Unconditional Love and Support, & Encouragement to Complete My Studies, Even During the Most Challenging of Times;

To My Grandchildren, Kendrick, Asia, Donavon, Emory Jr., Davion, & Naomi-Kiara Womack; Aaliyah, Aalijah, Azaeah Rodriguez; (and any future grandbabies) for Adding New Dimensions of Love & Happiness to Our Family;

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NOMENCLATURE

BOTCHED EXECUTION	An execution that had been carried out and the process of the execution deviated from the normal protocol resulting in excessive pain and/or a prolonged death process for the person executed.
CALCULABILITY	An emphasis on the quantitative aspects of the products sold (financial costs, portion control) and services offered (time budgeting) often economically beneficial for the owners and expensive for the consumers, Ritzer (2006).
CIVIL RELIGION	Transcendent universal religion of the nation, as defined by Bellah (1989)
DESOCIALIZATION	The loss of fundamental capacities to communicate and cooperate, as defined by Goffman (1961).
DISCULTURATION	“Untraining” the inmate so that the removal of certain behaviors are inhibited so they are unable to keep up with the world outside and incapacitating the ability to manage certain features of daily life on the outside, as defined by Goffman (1961).
EFFICIENCY	The optimum method of maneuvering from one point to another that appears to satisfy other important needs as well, Ritzer (2006).
NIMH	National Institutes of Mental Health
PERSONAL DEFACEMENT	Strip the individual of their usual appearance, or identity kit, and the equipment and services by which it is maintained, as defined by Goffman (1961).
PREDICTABILITY	The assurance that the products and services will be uniform across time and between settings, Ritzer (2006).
ROLE DISPOSSESSION	The constant separation from the larger society, the deep initial break with past roles, as defined by Goffman (1961).

ROLE STRAIN ON STAFF	Staff members who are in continuous contact with inmates feel they too are being set a contradictory task by having to coerce inmates into obedience while at the same time giving the impression that humane standards are being maintained and the rational goals of the institution realized, as defined by Goffman (1961).
TAMU IRB	Texas A&M University Institutional Review Board
THE SELF	The self can be seen as something that resides in the arrangements prevailing in a social system for its members. The self in this sense is not a property of the person to whom it is attributed, but dwells rather in the pattern of social control that is exerted in connection with the person by himself and those around him. This special kind of institutional arrangement does not so much support the self as constitute it (Goffman 1961).
STAFF'S VIEW	"That the patient or inmate is not a complete person" as defined by Goffman (1961).
TDC	Texas Department of Corrections was the earlier prison system in Texas as operated under the building tender system prior to the major prison reform that was implemented during the 1980's.
TDCJ	Texas Department of Criminal Justice is the expansion of TDC that is representative of the outcome of the TDC prison reform resulting in a larger consolidated state criminal justice system by absorbing previous separate criminal justice entities into one.
THE SELF	"The self can be seen as something that resides in the arrangements prevailing in a social system for its members. The self in this sense is not a property of the person to whom it is attributed, but dwells rather in the pattern of social control that is exerted in connection with the person by himself and those around him. This special kind of institutional arrangement does not so much support the self as constitute it", as defined by Goffman (1961).
TOTAL INSTITUTION	"a place of residence and work where a large number of like-situated individuals, cut off from the wider society for

an appreciable period of time, together lead an enclosed, formally administered round of life” as defined by Goffman (1961).

TRADITIONAL CAREER A profession for those who expect to enjoy the rises laid out within a respectable profession, as defined by Goffman (1961).

TRIMMING OR
PROGRAMMING Shaping or coding the new arrival into an object that can be fed into the administrative machinery of the establishment, as defined by Goffman (1961)

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CHAPTER I

INTRODUCTION: HISTORICAL OVERVIEW OF CAPITAL PUNISHMENT IN THE U.S.

INTRODUCTION

While the capital punishment has been researched from numerous angles, one of the chief concerns combined with the growing prison populations is the regularity of executions that have been carried out since the federal reinstatement in 1976 (TCADP 2009; Pickett and Stowers 2003, Reiman 2003; Radlett 1989; Duffee 1989). The increasing numbers of people sentenced to death coupled with the regularity of executions in some states has led to some outstanding research focused on human rights issues, from the perspective of the death row inmate populations in particular (Prejean 1993), and the moral disengagement and denial of responsibility that takes place at the social, institutional, and individual levels (Osofsky, Bandura, and Zimbardo 2005). Furthermore, much empirical research has been done on the expense associated with prison operations in general throughout the nation costing tax payers billions of dollars annually (Alexander 2012; Perkinson 2010; Reiman 2003), as well as the differences in costs for housing capital murder inmates living on death and those who are not living on death row (Johnson 2005; Vago 1997).

In terms of costs related to housing prison populations, the most expensive inmates to incarcerate are those who have been convicted of capital offenses and are sitting on death row when all court costs and appeals are included (TCADP 2009; Vago

1997; Hoppe 1992; Mello 1989), in contrast to earlier times where the inmates are sentenced to life in prison. For example, in 1992 the average estimated cost for life in prison was \$750,000 as opposed to death penalty cases at \$2,316,355 in the State of Texas (Hoppe 1992). For other states, costs for capital punishment cases have been estimated to average between \$3 million to \$5 million dollars, while it would cost less than \$1 million dollars to sentence and house inmates to life in prison (Vago 1997).

With the rise of inflation, these figures have increased since the 1990's. Nevertheless, even with the high costs some smaller Texas counties have pushed themselves to the brink of bankruptcy by seeking the death penalty for a single capital offender. The overwhelming majority of counties throughout the state avoid consideration of capital punishment because of the costs alone (Gershowitz 2010). Despite the costs since the federal reinstatement of the death penalty in 1976, there have been a record number of people sitting on death row. The Death Penalty Information Center (2009a) reports that as of January 1, 2009, there were 3,297 people sitting on death row throughout the nation compared to 517 in 1968 when the death penalty was federally abolished.

Since the rise of the prison empire of the 1980's, countless jobs have been created throughout the nation to satisfy the demand for both correctional and criminal justice positions. In addition with the reinstatement of the death penalty, people have been needed to carry out executions. Those who work with capital punishment are mostly recruited from the existing pool of prison employees actively employed within the prison institutions. Consequently, with judicial mandates ordering more correctional

workers to run the growing prison institutions has resulted in the demand for people to carry out the death work in prisons (Johnson 2005; Pickett and Stowers 2003).

Unlike traditional professions where job duties are routinized and the employees gain great familiarity with their daily duties, working with executions in most states is a different (Johnson 2005; Pickett and Stowers 2003). This is even more so the case because the break between the time capital punishment was abolished in 1968 and reinstated in 1976. Most prison employees who worked with executions during the 1960's had retired by the time capital punishment returned, leaving a significant generational gap between the prison employees who worked with the death penalty. Prior to 1968, outside of hanging in Washington State where gallows are still in operation, the electric chair was the primary instrument used to carry out executions. This method was replaced first by the gas chamber and then by lethal injection.

When executions are scheduled to take place, execution teams have to be formed. Members of the execution teams consist of a small group of prison employees drawn from the prison employee populations who are trained to master a task in some way associated with the execution process. In contrast to prison employees who do not work with death row inmates or on execution teams, these individuals are responsible for taking the lives of the very inmate populations they were previously responsible for keeping safe and alive. The familiarity, intensity, and frequency with particular job duties is important to take into consideration when thinking about death work in comparison to other types of work in prison settings as the majority of prison employees never work with executions.

Prison employees who work on execution teams have daily routinized schedules and duties within the normal everyday operations like other correctional employees. But they are unique from other workers in that they partake in capital punishment. In that respect, they are viewed as “elite” groups within the prison institutions because the sizes of the execution teams are very small in comparison to the entire prison employee populations (Johnson 2005). The familiarity with working on executions for prison employees who are employed in states that have the death penalty varies by state as some states rarely, if ever, carry out executions while others, with Texas leading, have greater frequencies. We will see later how the frequency of executions impacts the prison employees with relation to group cohesion, physical and emotional fatigue and so on, as well as fine tuning the process as each execution is carried out so the execution process is perceived to be a mastered process by some as communicated by some participants in this study.

Whose Lives are at Stake, Exactly?

Due to the disparate treatment of defendants primarily based on gender, race and class in the judicial domain, the lives of poor male defendants and male defendants of color are disproportionately at stake when it comes to capital punishment (Vago 1997; Duffee 1989; Mello 1989). In any criminal case money and quality of defense determines the fate of defendants (Reiman 1999), and due to the various types of racism that are routinely operating in the criminal justice world coupled with SES factors, males of color tend to endure harsher punishments than white male defendants (Alexander 2012; Perkinson 2010; Marquart et al. 1998). The majority of people sentenced to death

row had poorer quality and less experienced defense (TCADP 2009; Vago 1997; Duffee 1989; Radlet 1989; Mello 1989) and have been disproportionately of color (Perkinson 2010; Marquart, Eckland-Olson, and Sorensen 1998).

Over the last few decades representation by public defenders and court appointed attorneys has been on the rise (Chaplow and Simon 1999). In 1962 fewer than fifty-percent of defendants were represented with public defense in contrast to approximately eighty-percent throughout the nation's largest counties in 1992. Even more startling is that upwards of 95% of all criminal defendants never see a jury of their peers; instead through plea bargaining they plead guilty with hopes of reducing their charges and sentences—guilty or not (Bar-Gill and Ayal 2006; U.S. Department of Justice 2003). In relation to capital punishment cases, Vago (1997) contends defendants represented by court appointed attorneys are more likely to be sentenced to death than those who are represented by private counsel.

For capital murder trials involving consideration for the death penalty, the outcomes for the defendants rest on literal decisions of life and death. Consequently, these fateful decisions as highlighted above are often based on the quality of legal representation and monetary resources available to the defendant to hire competent and experienced legal council (Vago 1997; Mello 1989). Capital trials seeking the death penalty are almost always in favor of the state due to privileged economic and social resources available to the prosecutors. Defendants from disadvantaged backgrounds often have little to no chance of avoiding the death penalty in such trials.

Along with public defenders, too often even privately hired representation lacks the experience necessary to represent clients who are under consideration for death sentences. Even when members primarily of subordinate groups, such as people of color and the poor, do get adequate representation, their counsel still face many barriers, prejudices and biases resulting from systemic and white racism (Feagin 2006; 2001; 1995) and stereotypes related to people of any color who come from impoverished backgrounds (Vago 1997; Reiman 1999; Duffee 1989; Radlet 1989; Mello 1989). These issues of legal representation are further compounded with the way attorneys communicate throughout trials, which effect perceptions and decision making processes of juries (Vago 1997). For example, Platania and Moran (1999) found that when prosecutors exposed jury members to improper statements, recommendations for the death penalty were higher.

Throughout American history there have always been a disproportionate number of people of color executed in comparison to whites (Stannard 1991). Prior to the early 1900's executions were largely carried out through hanging (Tolnay and Beck 1995; Marquart, Eckland-Olson, and Sorensen 1998). During the slave era many people of African descent were killed for the most minor of offenses and sometimes based on nothing more than mere allegations (Jordan 1968). The levels of this killing during these times, at least with relation to state sanctioned executions, are not known exactly. However, Jordan (1968) provides a glimpse of the level of value people of color held, both socially and economically with the State of Virginia alone which recorded that 434

slaves were executed between the years of 1738-1814. The government compensated the owners for their “property” losses.

Thousands of African Americans were executed by the state and local lynch mobs during the 19th century (Tolnay and Beck 1995; Marquart, Eckland Olson, and Sorensen 1998). Lynch mobs often worked for the state and were pardoned by the state when they took it upon themselves to kill somebody without a court trial. While focusing primarily on lynch mobs in the South, Tolnay and Beck (1995) concluded state sanctioned violence served to protect the mobs and instill terror into black communities. They estimate that between the years of 1882-1930 there were 3386 men, women, and children of African descent who were killed at the hands of lynch mobs. These figures are gross underestimations of the realities as they only reflect those confirmed in surviving state records. Many deaths were never recorded. Targeting communities of color for harsher punishments, including death sentences, persists into current times.

While all criminal defendants are given the right to legal defense and a trial, systemic racism has resulted in a disproportionate number of people of color incarcerated (Feagin 2006; 2001) and poverty blocking low-income defendants from attaining high quality and competent private counsel (Vago 1997; Duffee 1989; Reiman 1999; Mello 1989). This has resulted in disproportionately people of color in combination with the poor of any color from attaining representation that have equivalent judicial outcomes to, as a rule, more affluent white people (Vago 1997; Mello 1989). In 1986 while 11 percent of the U.S. population was African American, yet they represented 41.62 percent of death row inmates awaiting execution and of the 3,915

executions carried out since 1930, 50 percent of those executed were Black or of a non-white/Latino groups (Duffee 1989). As of July 1, 2008 there were 3,305 people sitting on death row with the racial breakdown as follows: 41.6% Black; 11.0% Hispanic; 45.0% White; and 2.3% Other (DPIC 2009c).

To contrast this racialized and class based disadvantaged treatment, privileged outcomes for the more affluent include charges being dropped, early release, parole over prison time, spending less time in prison for more serious offenses, and issues of appeal being raised (Vago 1997). To put this into further perspective, the relative size of the black population has been fairly consistent with little fluctuation as they continue to represent between 12-13% of the U.S. population with the white group representing approximately 65% of the total U.S. population.

There are many factors that play into a defendant being sentenced to death over life in prison and noted above are only just a few of the many possible variables at work. The judicial system is not flawless and is prone to great error as are others, but in this particular case it is human lives that are at stake resulting in irreversible damage to the innocent, families, and certainly the prison employees who carry out the executions. While it is believed that the majority of people executed were guilty of the crimes they were sentenced to death for, the hundreds of people who have been wrongfully convicted and either exonerated or put to death create incredible grief for all people in some way related to the inmate. And even when they are guilty of the crimes, it can still be very difficult putting inmates to death for many.

When such feelings of frustration and injustice arise, people from all angles want to know “who” is to blame and those conclusions can gravitate in many different potential directions. Some participants in this study reported anti-death penalty advocates viewed the prison workers as the central problem because theoretically they could have refused to carry out the work. Such positions are problematic because they fail to recognize capital punishment as complex social issue that surpasses the workers at the individual levels. This very same logic is applicable to those serving in the military. In his study on military war crimes, Mestrovic (2005) found that such events are not the result of a “few rotten apples” in the bunch but rather a consequence of a poisoned institution as an entirety. Issues involving acts of harm to others, be they out of morbid hazing, amusement, or ordered by higher authorities, need to be corrected at the higher administrative ranks, in the case of the military and prisons, at the federal and state governmental levels. According to Mestrovic, this is an essential requirement for creating just and healthy work environments for lower level officers, as well as any prisoners that the prisons hold captive.

The most profound issue with capital punishment carried out in the state and federal prisons for both those in favor and against the death penalty, is the fact that the death penalty is irreversible and there is always the possibility that an innocent person can be executed for a crime he or she did not commit. Without accounting for both the legal and illegal executions carried out by lynch mobs during the early twentieth century, current estimates suggest that over 200 innocent people have been executed since 1900. That figure is further disputed since the innocence of many others led to the exoneration

of over 400 sitting on death row during the same time period executions were carried out (McCaffrey 2003). Radelet, Bedau, and Putnam (1994) examined over 400 cases of wrongful conviction where some people were released and others executed. For cases that involved release dates in the year of 1973 and thereafter, the Death Penalty Information Center (DPIC) (2009b) reports that 138 death row inmates have been exonerated through either pardons, acquittals, or charges dismissed, with the most recent case added October 6, 2009.

THE U.S. PRISON INDUSTRY

Over the last several decades the number of prisons constructed has steadily increased and has turned into a major profit industry (Alexander 2012; Perkinson 2010; Wacquant 2009; Vago 1997; Duffee 1989). Through analyzing political culture, public policy, and institutional organizations, Caplow and Simon (1999) explain the growth of U.S. prison populations. As a result, the de-legitimatization of welfare programs where the philosophy of rehabilitation has been replaced with a politics of punishment and, “politicians from both parties have found a strong profile on crime issues to be indispensable” (p. 71). The rate of people placed in mental institutions from the 50’s to contemporary times has steadily declined while prison incarceration rates have been on a steady incline since the 70’s and spiked during the 80’s (Waquant 2009). Consequently there is a racialized component related to the prison population as noted earlier where the current prison populations in the U.S. are disproportionately composed of African American and Latino males (Alexander 2012; Perkinson 2010; Caplow and Simon 1999; Marquart, Eckland-Olson and Sorensen 1998; Duffee 1989).

Former Studies on Total Institutions, Their Enforcers, and Power and Authority

Zimbardo's study: "Stanford Prison Experiment"

In the well-known Stanford Prison Experiment led by Philip Zimbardo in 1971 through his controversial experiment consisting of participants randomly assigned to the role of being either a prison guard or prisoner in a simulated prison, he found that participants in both conditions internalized their randomly assigned roles. Accordingly, in response to the socially constructed power/subordinate roles, the participants became more controlling/passive and more rebellious/cooperative towards each other. Even with rules in place for the prison guards to follow that prohibited the use of corporal punishment, the more the prisoners resisted the simulated guard's authority, the more the prison guards would use harsher non-violent means to gain their submission and compliance. Such tactics involved humiliation, unpredictable invasions of privacy, and severe deprivations as with restroom access or being placed in a closet that represented "the hole." In a very short period of time these "ordinary" college students began to exhibit behaviors that were previously non-existent in their accustomed social settings and estranged from their previous personal selves.

The significance of Zimbardo's study is that the people who participated in the experiment had no prior experience with the criminal justice system, no criminal records, and were not legal authorities. They were upstanding undergraduate students. His study revealed how the environment and its immediate hierarchical physical and social structures play a key role in the responding social behavior and social maintenance of those inhabiting punitive social spaces. His study illustrated how people

internalize change when they are assigned to social roles that are either granted privilege and authority over other people, or placed into subordinated positions where their personal power and identity as a human are stripped away. His study revealed insight in to how power hierarchies are formed through role assignment and the power and status associated with the social roles, which can be generalized beyond jail or prison like settings.

In agreement with Goffman's (1959) findings, power/subordination dynamics within and between groups serve to reinforce the power hierarchical and institutional arrangements primarily through role assignment and subsequent internalization. Questioning, challenging authority, and refusing to cooperate when in disagreement also served to reinforce role identities and symbolic statuses through the psychological processes that filtered out conditioned perceptions of "legitimate" power and authority (Goffman 1959). Comparable to the "prison guards" in Zimbardo's study, the more the "staff" in Goffman's study perceived their roles as "staff" were being challenged, the more aggressively they asserted their power and authority over the patients in the asylums.

While Zimbardo's study took the institutional power hierarchy up to the level of the warden and the influence he has in both getting the prison guards and prisoners to conform to the total institutional structure, his study did not question the power structures above the warden. The duty of wardens is to enforce the prison policies created by the political sectors and higher level prison administrations. Zimbardo did not question how the larger structures influence the warden's role and job duties within the

total institution. The rank and file system adheres to the chain of command model of power and authority. The next up in the prison chain of command from the prison warden is the state and federal prison administrative officials, followed by the state and federal governmental officials who create the rules and laws the total institution is responsible for enforcing.

When executions are carried out the state governor makes the final decision on whether the execution will proceed or if there will be stay. Exceptions to this general rule occur when the federal Supreme Court is involved with a case and overrides a governor's decision to proceed with a stay of execution. The higher level prison administrative staff is responsible for ensuring that the orders from the governor or federal government are followed without deviation, whether it is a stay of execution or proceeding with the execution. The prison employees from the highest ranks in the administration to the lowest level correctional officers are required to enforce state and federal governmental laws and policies throughout the prison.

Johnson's study: An evaluation of correctional officers working with electrocution

Another important study, *Death Work: A Study of the Modern Execution* by Johnson (2005) is more closely related to this research. He conducted a qualitative study on prison correctional officers who served on execution teams in the State of Oklahoma during the time executions were carried out with the electric chair. His findings showed that correctional officers are affected by participating in the execution process, but the range of effects varies. Working with executions involving the electric chair is different

from executions carried out with lethal injection because the human senses are affected quite differently.

Johnson's participants reported things as smells of burning flesh, sounds of the power running through the inmate's body, and flickering lights, made it more difficult for the members of the execution teams to legitimate their participation and shake off the memories associated with the death work. Such difficulties, as Johnson reports, led to some of the participants in his study to turn to alcohol for example, as a way to cope with negative effects while using their impression management skills to project a healthy appearance to the larger prison institution. In the prison culture for prison employees and inmates alike, conveying anything beyond objectivity and flat affect suggests weakness. Thus, there was great pressure for the correctional officers working with executions to suppress their own emotions and concerns. When difficulties emerged, they carried on with the work and repressed their thoughts, feelings, and emotions. Participants in the current study reported something similar, but they used the term "professional" and upholding the "highest level of professionalism" to describe this phenomenon.

In terms of personal support, the execution teams in Johnson's study reported they have a tendency to rely upon one another when in need of somebody to talk to about their feelings and experiences associated with their work. Their work was unique from any work elsewhere in the prison, or in the nation for that matter. Because of the scarcity of the death work, the members of the execution teams saw themselves as an elite group within the prison institution. They found they were unable to talk with regular prison guards about their work because they couldn't relate or fully comprehend

their experiences. In this sense, they were more socially and emotionally isolated than the average correctional employees.

Similar to Zimbardo's study, Johnson's work was limited to only correctional officers limiting ability to analyze the effects the establishment has on the higher level administrative officials. Some questions left are related to how higher level prison officials deal with ensuring their subordinates are not carrying out work that may potentially be harmful and how they cope with the same type of work as an authority figure overseeing the execution process. Is the pressure to withhold feelings and emotions related to the work more intense for them? Do they feel responsible for any negative effects their execution teams might experience? How might their experiences differ from the correctional officer experiences? Retired members of the higher levels of the prison administration participated in the current study and some of these very questions will be addressed later in the analysis.

Milgram's study: Authority and compliance

Of further importance to this research is the "why" people volunteer to work on execution teams and do not question authority if they find they are experiencing any level of personal discomfort. Several decades ago social psychologist, Stanley Milgram, with questions on the power of authority and abuse of power in response to the German Holocaust, conducted a controversial experiment that involved a simulation where the confederate was seemingly being shocked by the participants in the study. Milgram hypothesized German society was culturally different from U.S. society and the Americans in the study would not inflict dangerous levels, or especially fatal levels, of

shock to the confederate—even with insistent orders given by an authoritative figure to do so.

The American participants in Milgram's study came from many walks of life and viewed themselves as caring, average, upstanding citizens prior to their participation. A third person in the study, the “researcher” in the white lab coat that signified symbolic expert authority in research setting gave the orders to the participants to administer simulated shocks to the confederate in a separate room. The participant could only hear the confederate and were not able to see him. Even with the desperate pleas made by the confederate to stop; 65% participants in the study followed the orders and administered graduated simulated levels of shock that eventually got so high that theoretically it would have been life threatening for the person receiving the shock. A smaller percentage of the participants voluntarily withdrew their participation in the study than originally hypothesized and refused to administer lethal measures of shock despite the authority figure giving the orders and other more covert forms of coercion concurrently taking place.

The findings of Milgram's study showed that “ people obey either out of fear or out of a desire to appear cooperative—even when acting against their own better judgment and desires” and further, “illustrates people's reluctance to confront those who abuse power” (Encina 2003). His results confirmed that acts of inhumanity were not limited to the German people, but to any human groups since American participants demonstrated the same social patterns in response to authority as the German Nazi soldiers.

Problematic with Milgram's assumptions were they were inherently ethnocentric in nature. Milgram was conducting his study during the Jim Crow era here in the U.S. and relatively shortly in time after the slave system was abolished. He was able to recognize the atrocities carried out against Jewish populations by Nazi Germany but failed to recognize the very systemic atrocities that have been carried out against both American Indian and African American populations in the U.S. These biases are even more disturbing given Milgram was a student of an elite university at that time who should have had even more in-depth comprehension of both U.S. and world history. Nevertheless, the very ethnocentric phenomenon exhibited by Milgram himself regarding his initial hypotheses is a reflection of the ways in which privilege asserts social and moral superiority.

Relevant to this study, is first with Milgram himself who with prestigious authority demonstrated the blinding ethnocentric phenomenon common in America that asserts moral superiority and exceptionality compared to the rest of the world, despite its own legacies of inhumane practices. Secondly, is the question of why people, including those of the higher levels administration so readily follow orders despite any moral concerns they might have and/or any levels of emotional and psychological discomfort they might experience. The power structures in the prison systems as related to capital punishment reflect a chain of command authoritarian system where lower level employees are trained to blindly follow the orders of higher level authorities. As previously highlighted, the state governor is at the top of that hierarchical pyramid unless there is federal level intervention or it is a federal case.

C. Wright Mills study: Power and authority, responsibility, and the power elite

In his book, *The Power Elite*, C. Wright Mills (1956) addressed the ambiguous issue of who is the “real” authority ultimately responsible for policies and the decisions backed with the power to uphold, modify, or cancel them, aside from higher authorities such as state and federal level judges who have the judicial power to override state level political figures. Mills describes this issue of authority and responsibility as a grand illusion most often operating in a muddled complex web of bureaucracies. Those caught up in the middle of the chains of command at each rank, such as wardens, higher level administrators, or ranked military officials, are perceived to be the “ultimate authority” by all who fall beneath them and are perceived to be the individuals responsible for the successes and failures of the state and federal level just and unjust policies and institutions.

In reality, according to Mills, it is the very small percentage of the population who are most influential over, and ultimately in control of, the structural policies and institutions throughout the nation. These people represent the power elite made up of military, business, and political leaders. In many cases individuals with grievances may work their way up the ranks in the chain of command, but often they confront a perceived end with an official who may not even be sure who would be above him or her. An example Mills provided of this phenomenon was with a perceived highest ranked military official not a member of the power elite, who was unable to identify exactly where his orders came from, but knew clearly which policies and operations he was expected to carry out and enforce.

In reality such figures in the ranks of command rather blindly follow orders from above with the understanding they are giving orders. They are indeed giving orders that entail enforcing the rules and laws already in place but their power and authority operates in a descending structural manner. The policies they enforce are in the interest of the power elite. For Mills, the power elite represent those elite few who are most invisible to society, yet those who are most influential in creating the very policies and rules for the rest of society to follow in virtually every respect. Because of their invisibility, they are shielded from personal responsibility and accountability for any harms and unintentional consequences that might result from their decision making processes.

At the time this study was carried out, Governor Rick Perry was the highest level authority over capital punishment in the State of Texas. But even Governor Perry's decisions on whether to proceed with executions or grant stays of execution are not made in isolation. For Mills, while to the general public his decisions appear to be most heavily influenced by his own constituencies. In all reality they reflect quite the opposite. Decisions to have the death penalty in place (and used) or abolished for example, reflect elites above him who will provide their sustained support of his visibility as the state governor so long as he manages the state in the manners they most desire. In this example, the governor or political figure represents a tangible figure with a face that absorbs the public applause and scorn. The economic and power elite above him cannot be identified as single individuals. Perhaps at best, they can be alluded to as

a collective group who seek to protect their own best interests, which is primarily economic in nature.

CAPITAL MURDER INMATES DURING THE PRE-PRISON REFORM AND POST-PRISON REFORM ERAS

In contrast to the era of capital murderers sentenced to death and living the rest of their living lives in solitary confinement since the federal reinstatement, they were active within the prisons and often key to ensuring the prisons ran smoothly (Marquart and Crouch 2010). The participants in this study who worked in the prison during the pre-reform era recall it was the building tenders and turn keys who were often inmates sentenced for life for capital murder, who had trained current guards in their own positions as correctional officers within the prisons. The building tenders lent protection and support to the correctional officers with the inmate populations. While the building tender system had its problems and was not error free by any means, they recall some inmates in for capital murder were indeed model inmates and even made significant contributions to the everyday functions and operations of the prison as an institution.

Reverend Carroll Pickett: Memoirs of a Death House Chaplain

In his book *Within These Walls: Memoirs of a Death House Chaplain*, likewise, retired prison chaplain Reverend Carroll Pickett (2003) explains during the pre-reform era, the Huntsville prison was operated and ran primarily by the prisoners. With virtually no administration beyond the wardens, pre-mega prison bureaucracies, and very few guards in comparison to the prisoner population, he recalls there was much more order in the inmate populations than what he observed in post-reform times. He believes the

substantial increase in prison guards and lack of significant meaningful work and activities for the prisoners to otherwise keep them busy and out of trouble, is one of the primary reasons for the increased violence within the inmate populations previously unknown. They are blocked from having meaningful roles that allow them to feel as though they are making positive contributions to both the institution and the larger society. These pent up negative energies generated by the institution are then released back into the inmate populations and continuously recirculated.

He explains further that during the pre-reform days with the prisons being primarily maintained by the inmates, the prisons were financially self-sustaining and actually brought revenue into the state funds rather than costing billions. Prisoners on good behavior, including death row inmates, ran virtually every aspect of the Annual Huntsville Prison Rodeo. Throughout the year the prisoners gained valuable skills in the arts by making crafts and souvenirs that were sold at the Rodeo and in town throughout the year, such as leather belts, wallets, and even hand crafted furniture. Prior to the prison reform, the prisoners saved money for the town of Huntsville by making significant contributions to the larger Huntsville community in valuable ways, such as by maintaining the landscape. These activities served to empower the prisoners and reduce the stigmatization of inmates among the greater society.

The massive prison reform during the 1980's resulted in many unintended consequences among both the prison officials and inmate populations. For example, this reform increased the number of prison guards per inmate and disseminated the former in-house building tender and turn-key order or system under the assumption that much of

the prison violence would be reduced or completely eliminated. But a major issue that developed shortly after reform went into place was the emergence of violent prison gangs largely based on skin color, recalls Reverend Pickett. He believes that this particular consequence was the result of the increased social control among the inmate population by the prison guards. Particularly with new prison guards in place in high numbers with little first-hand knowledge and experience of the prison world, the inmates were privy to the many other forms of potential corruptions and manipulations that could quickly develop between both the guard and inmate populations. The disintegration of the old system where inmates knew how to survive and they discover new adaptation strategies relative the changes taking place within their own total institutions.

Reverend Pickett also observed that even with increased numbers of prison guards, the new system resulted in less power available to the prison guards than previously recognized with fewer guards under the trustee system. While the reform was designed to increase power in the prison structure, it was also meant to reduce abuses by prison guards of inmates. The guard on inmate abuse and violence was an added reason for the prison reform. As with the old system, however, there have still been problems with violence and abuse by the guards on the inmate populations. Goffman (1959) noted that correction officers and total institutional employees have always engaged in inappropriate behaviors and excessive violence against inmates and patients, mostly for the purpose of gaining control over the inmate/patient populations.

During the prison reform, Zimmer and Jacobs (1981) examined prison guards who felt their roles had been demoted to the point where they were not able to carry out

their jobs and duties effectively. Prior to their revised guidelines, prison guards were able to use physical force and various punishments mostly at their own discretion to handle the prisoners and, “Closely tied to guards’ feeling that they have lost their ability to control the inmates is their feeling of loss of status” (p. 533). Status, from the standpoint of the prison employees, was key in having the ability to maximize their power and control over the inmate populations. Finding the fine balance of where prison guards should be allowed to, or restrained from, using excess force for the protection of themselves, others, and the inmate populations, has been difficult for policy makers to identify (Zimmerman and Jacobs 1981; Pickett and Stowers 2003).

Changes were needed in the prison systems, but knowing how to best implement changes that were in the best interest of all people involved is a difficult task for any policy makers to undertake. The prison operations during the pre-reform days, prior to the reinstatement of the death penalty in Texas, were essentially debt free. In contrast post-reform has resulted in incredible social and financial costs for the State of Texas, including the demand for prison employees to participate in death-work. While most anybody who speaks on a positive note with regard to the pre-reform era, they readily acknowledge the serious flaws with the old system. Such comparisons with the pre and post-reform eras highlight the economic differences and the greater autonomy the prisoners had within the old system. Certainly with the old system questions of “greater autonomy” can be challenged with the prison labor that was near equivalent to slave labor on plantations, but these very same practices still persist in the current system (Perkinson 2010).

Few would argue that the old system was perfectly flawless and should have remained in place as it was. The prison reform was pushed through for important reasons centered upon human rights issues relating to the inmate populations (Perkinson 2010; Marquart and Crouch 2010). But the critics of the post-reform highlight how the mandated changes have not solved the problems of the earlier system, as many of the older issues related to inmate brutality, victimization, and exploitation are still present. The critics of post-reform recognize that in many respects, with the changes more issues have manifested and the old flawed system has only changed form into an inversely flawed and very expensive system.

CAPITAL PUNISHMENT: CONTEMPORARY TIMES AND THE PRISON EMPLOYEES

In order to better understand how it is that we have correctional employees participating in executions in contemporary times, we need to briefly review the history of capital punishment in both the U.S. and the State of Texas. Modern day executions carried out in penitentiaries are very different from earlier executions where outside of lynch mobs, legal officials played little role in the events. Historically executions were carried out by executioners whom themselves were often condemned and selected to do this work in lieu of their own deaths. The socially isolated and stigmatized executioners along with the person(s) being executed were the central features in the publicly macabre events (Robin 1964). In earlier times law officials were more invisible and played little to no role in the formal execution process outside of perhaps housing death row inmates and then escorting them to the gallows. In contemporary times, this has reversed where

prison employees are the visible players in the execution process and the identity of executioner is often invisible or held confidential.

As reviewed earlier, regardless of where individuals stand on the issue, capital punishment impacts individuals and society in numerous ways. Quite visible among those directly affected by capital punishment are the families and friends of both the inmates sentenced to death and victims of the crimes for which the inmates have been convicted. Others who are also affected, but too often overlooked, are non-death row inmates who are housed in the same penitentiaries that carry out the executions and the prison officials; particularly prison employees whose work duties involve some level of participation in the execution process.

Because of this extensive invisibility and existing gap in the scholarly literature on both the viewpoints of the prison employees who carry out the executions and the impact capital punishment has on them, this dissertation investigates the impact capital punishment has on prison employees who were involved with the execution process—specifically execution processes that involve lethal injection. The invisibility of the prison employee viewpoints about this subject, especially within the scholarly literature, is telling and suggests that this is a social group that has been greatly neglected in myriad ways. The necessity for this study is more vital given these individuals represent very small elite populations who deal directly with some of the most sensitive and controversial issues this nation has yet to resolve, at both the micro and macro levels.

With the exception of Johnson's (2005), Pickett and Stowers (2003) work and Robin's (1964) historical examination on executioners, the scholarly literature

specifically focused on the negative effects the execution process can have on prison employees and members who represent the state is scant. Beyond that, the little that is available comes from various activist sources where retired prison employees have come to speak out regarding their experiences and how capital punishment has affected them personally. For example, the negative effects can be so great that even some retired wardens who were once responsible for overseeing the execution process have become vigorous anti-death penalty proponents (Avila, Harris, and Francescani. 2007; McCaffrey 2004; Pickett and Stowers 2003; Radlet 1989).

The epitome of frustration with the system and the burden of responsibility to carry through with the executions as a state employee who was concerned about the possibility that they had put to death an innocent man is powerfully captured with retired Warden Don Cabana of the Mississippi State Penitentiary or Parchman Farm:

You don't have the right to ask me or people like me to kill for you, and at least not be absolutely sure you're getting it right. And you don't have the right to expect us to do it again and again and again without consequence. But you see the public isn't the one that bears the consequence. That individual in Texas is, I am, other wardens are...(McCaffrey 2004).

Warden Cabana's point speaks loudly, especially given little research that has been done on the prison officials who carry out the executions.

Because of the lack of professional attention to this issue, to date little is known about the short and long-term effects(s) capital punishment has on prison officials who are involved with the execution process. This scholarly neglect inadvertently results in

reinforcing the invisibility of these particular populations in the larger debate.

Consequently the ignorance among the general masses is increased where: “Most of us, as we go about our daily lives, do not pause to consider the impact on those who carry out executions” (McCaffrey 2004). Inevitably capital punishment affects the lives of many who carry out the execution process, though currently it is unclear to what degrees and magnitudes, as well as thresholds and variations, these effects transpire between individuals.

This research seeks to learn how involvement with state sanctioned and mandated deaths impact the psychological and social well-being of retired prison employees who participated in the execution process in the State of Texas. It will also seek to provide an understanding of how their involvement may have fundamentally altered and re-shaped their personal political and spiritual orientations. It will further explore whether or not their involvement may have enhanced sensitivity to institutional racism as related to the criminal justice system as indicated by Carroll Pickett (Gilbert and James 2008) since those sitting on death row and who have been executed in the State of Texas have been disproportionately Black and Latino (TCADP 2009).

The Death Penalty in the U.S. and Texas over the Last 50-Years

Capital punishment or some form of murder is perhaps the one of the oldest forms of punishment in the history of human societies and civilizations along with group ostracizing and banishment. Throughout history, conceptions on what constitute social justice and deviance has undergone continuous change (Durkheim 1959). Conceptions of “who” shall be eligible for the death penalty and for “what” type offenses shall be

considered capital offenses eligible for executions have also changed. For example, women, juveniles, and the developmentally disabled have been generally excluded from consideration for capital punishment in the U.S. (Duffee 1989). Other types of changes have involved questions on “how” to best physically carry out state imposed executions in the most “humane” manner (Conquergood 2002). What has not changed in the U.S. is the practice of disproportionately executing people of color and males from disadvantaged backgrounds (Vago 1997; Duffee 1989).

Death penalty abolished in the USA

Within the last century, capital punishment has been abolished in 102 out of 196 nations throughout the world and deemed as immoral and cruel and unusual punishment (Hood and Hoyle 2009). The U.S. was also part of that trend as the death penalty was abolished for a short period of time; though for slightly different reasoning. Conquergood (2002) notes the number of state executions dwindled during the 1960’s until no executions in the U.S. took place between years of 1967 to 1972. Because the decline of the frequency of executions during the 1960’s came to a seemingly natural end, as *Furman v. Georgia* (1972) the Supreme Court held capital punishment was unconstitutional and the death penalty was temporarily abolished. However, over the course of the next several years states legislated to allow for some crimes to be punishable by death, and thus allow laws relating to capital punishment to be determined at the state level. The death penalty was federally reinstated with the passing of only four years (Conquergood 2002; Vago 1997; Duffee 1989).

Upon the federal reinstatement of capital punishment in with *Gregg v Georgia* (1976), Gary Gilmore was the first person to undergo an execution carried out by the firing squad in the State of Utah. As of January 1, 1994 the various execution methods still in place across the US were electrocution, firing squad, gas chamber, hanging, and lethal injection (Vago 1997). Over the last decade many states that still have the death penalty on the books but have reduced the method to lethal injection only. While lethal injection has been the primary method of execution across the U.S. since the federal reinstatement, outdated execution methods are still present as Washington State has used the gallows 3 times and is the only state in the nation to still have their gallows in operation (WSDC 2009). And most recently in response to the pharmaceutical companies refusing to make and/or sell their products to the state governments for executions, on May 23, 2014 Tennessee Governor Bill Haslemon signed a bill allowing prison officials to use the electric chair should they not have enough drugs to perform lethal injection (Zoroya 2014).

Reinstatement of the death penalty—Texas

Though the first execution to take place in the State of Texas since the 1976 federal level reinstatement was not until 1982, Texas has glaringly stood apart from the rest of the nation with relation to the number of executions it has carried out from 1982 into the present. Prior to the state level reinstatement 1982, the last execution that took place in Texas was in 1964 with the notorious electric chair, “Old Sparky,” that now sits in the Huntsville Prison Museum for public display (Pickett and Stowers 2003). That chair was used to execute 361 individuals between the years of 1923-1964 (TCADP

2009), and prior to 1923, executions in Texas were both determined and carried out by local county Sheriffs through means of hanging at a designated neighborhood tree (TCADP 2009; Pickett and Stowers 2003). Since the state level reinstatement in 1982, all executions in Texas have been carried out through lethal injection (TCADP 2009; Pickett and Stowers 2003), resulting in the state sanctioned deaths of several hundred condemned death row inmates. On June 26, 2013, Kimberly McCarthy, a black female was the 500th death row inmate to undergo lethal injection in Texas (Graczyk 2013). This number representing 31-years of death by lethal injection far surpasses the figure showing the number of deaths carried out by the electric chair across a 41-year time span of the earlier period.

Execution frequency and participation fatigue

While it's no secret Texas leads the nation in the number of executions, since its reinstatement, the frequency of executions was launched at an exceptionally high rate. There was little time for the prison officials and employees to adjust and adapt to the new capital punishment policies they were suddenly responsible for enforcing. This sudden change was distressing for the prison workers, recalls Reverend Pickett (2003). The State of Texas notified Warden Jack B. Pursley that executions were scheduled to soon take place and from that point on, the burden of responsibilities ranging from physically carrying out the executions to the funeral and burial details was placed squarely on the warden (Pickett and Stowers 2003). This was prior to the settlement of the prison reform that shortly thereafter transformed the trustee prison structure into the highly bureaucratized penal institution that exists today.

Just prior to the first execution the prison officials who were to be assigned to carry out the various duties of executions, Reverend Pickett explains, were assured from their superiors that lethal injection was ethical, humane, and painless. As employees of the prison prior to the reinstatement, Reverend Pickett recalls much confusion, apprehension, and anxiety among the employees who were assigned to work with the executions. The generational gap for the employees between TDC when it carried out electrocutions during the 1960's and prior to the post-execution employees was apparent. Most employees who worked at TDC when executions were carried out had retired.

Further problematic at that time recalls Reverend Pickett, was the lack of choice involved with accepting the newly added assignments to their previously held positions as prison employees. Job duties related to capital punishment were not described nor even mentioned in their job descriptions and contracts. In current times most members of the execution teams are recruited to participate in the executions and the work is considered voluntary by the institution. Those who agree to join execution team's work during the after-hours of their shifts and do not get any compensation whatsoever from the state, nor is this work included in their job descriptions or contracts. Nevertheless, the State of Texas did not hesitate in initiating the execution process during Reverend Pickett's time as the first Death House Chaplain. He was present with 97 death row inmates during their executions between the years of 1982 through 1995 when he resigned. During that time many other employees requested to be re-assigned to a different part of the prison or sought out other employment due to the emotional

difficulties and fatigue associated with the executions and the frequency they were being carried out (Pickett and Stowers 2003).

Lethal injection: State of the art executions?

Despite the assertions at that time made by the state and medical experts that lethal injection was a humane way to kill the condemned, the shared hesitation among the prison employees described by Reverend Pickett was valid at least on moral grounds. A part of the hesitation for some was related to personal religious beliefs that forbade state killing or any type of killing for that matter. For others who were secular or non-religious; their doubts reflected personal morals and values that held murder in any form is simply wrong. However, at unconscious levels the suspended feelings and reservations shared by all during their death house employment may have reflected the phenomenon described by Conquergood (2002), who contrasts the visibly grotesque and horrific former execution methods causing emotional trauma experienced by the witnesses and participants, such as lynching, the electric chair, and the gas chamber, with lethal injection where, “Putting the prisoner to sleep before killing him or her is more about cosmetics than compassion; it keeps up the appearance of decency, protects the witnesses from messy scenes, and masks the violence of state killing with a humane medical procedure” (p. 352). Amnesty International USA (2009) exemplifies this very point: “Because of the potential for masking pain, the American Veterinary Medical Association has rejected the use of paralyzing agents like pancuronium bromide for animal euthanasia. In states like Tennessee and Texas pancuronium bromide is banned for use on animals; yet it continues to be used on humans.” Those involved with the

latest “state of the art” execution method likely grappled with the realization of the masked violence contradicting their own personal moral positions, despite the assurances made by experts with authority that lethal injection is painless and humane.

PURPOSE OF THE STUDY

Much literature has focused on the conditions of the prisoners’ environments and the abuses of power by prison employees, though in comparison little work has been done on the various controversial work conditions the prison employees operating within the total institutions are required to enforce as stipulated by state law, particularly with regard to capital punishment. The prison world relating to the needs and demands of prison employees, particularly in relation to carrying out controversial duties needs further exploration. Prison employees, like military soldiers or any other groups that are trained to hold others captive and even take lives if ordered to do so, are not exempt from being human. As Warden Cabana and Reverend Pickett demonstrated, despite the intensity of their training and devotion to their professions, prison employees are susceptible to negative effects associated with the death penalty. Little is known about possible short and long-term negative effects controversial job duties may have on the employees’ well-being during the post-employment period. This research seeks to learn how the working conditions for prison employees who are involved with participating in capital punishment, either directly or indirectly, can be improved from their viewpoints.

Because of the unique nature of capital punishment and potential irreversible risks, those who work with the death penalty lack adequate training, support, resources, and effective coping strategies related to death, dying, and grieving (Pickett and Stowers

2003; Duffee 1989; Zimmer and Jacobs 1981). As Johnson (2005) illustrated, prison employees who work with capital punishment are left to discover their own coping and survival mechanism. In their study of prison guards who work in high risk environments, Zimmer and Jacobs (1981) found that, “even in the best of times, the level of tension and stress is high” and similar to miners and loggers, they tend to live in social isolation (p. 532). They tend to form their own social networks within their work environment, as well as outside the prison environment. This research presumes this type of social isolation and exclusive social formation intensifies more so between employees who work with death row inmates and are involved with the execution process. This research seeks to discover how the overall quality of lives and general well-being of prison employees who work with executions can be improved. It further seeks to identify effective and non-effective coping mechanisms they have either tried out or currently use to deal with their former work, particularly if experiencing any negative effects.

While the methods of executions have changed so as to appear more humane across time, from the guillotine, gallows, electric chair, gas chamber, and lethal injection, all forms of execution have had negative effects on participants and witnesses (Conquergood 2002). And even with the latest form of perceived “humane” and “state of the art” executions, since 1982 there have been at least 42 reported botched executions (Radlet 2009). While general executions can result in negative effects for the prison employees who are directly involved, botched executions only compound those risks. While different from witnesses, such as reporters, family members, and other officials who witness executions by choice, prison employees who work with the capital

punishment process must be present as they are the people responsible for fulfilling the death warrants as stipulated by state law. This issue will be re-visited later in the dissertation as little is known about how the pressures, be the explicit or implicit, to ensure state laws are fulfilled affect prison employees. The decision making processes involving why people agree to work with capital punishment will be of primary focus in this study.

RESEARCH QUESTIONS

The research questions for this study are designed to explore the world of capital punishment as experienced by retired prison employees who worked directly with executions. They are designed to investigate and identify changes in perceptions, morals, values, and feelings related to the practice of capital punishment. This research seeks to further investigate whether or not changes in political and religious orientations are experienced by prison employees who work with capital punishment. And lastly, because of the systemic and institutional racial biases associated with capital punishment, this research seeks to explore whether or not people who work with executions become more sensitive to, and/or gain a greater awareness of, racial and ethnic issues in the U.S.

The research questions are as follows:

1. How do job duties that require involvement with the execution process of death row inmates impact prison employees?
2. How do prison employees involved with the execution process cope with negative feelings associated with their job duties that may arise?

3. Do job duties that require involvement with the execution process lead to modification of personal political positions related to the death penalty?
4. Do job duties that require involvement with the execution process lead to modification of personal religious beliefs/orientations?
5. Do job duties that require involvement with the execution process lead to changes in perceptions of institutional racism among the employees?

JUSTIFICATION FOR RESEARCH QUESTIONS

Question 1

This research question seeks to learn whether or not there are any short-term and long-term effects for prison employees who were involved with the execution processes. If so, identify what they are and what types of symptoms might be displayed, such as, fatigue, depression, exhaustion, guilt, anxiety, and so on. It seeks to learn what negative consequences might have followed more immediately after executions were carried out, such as, taking time off of work after executions, headaches, weakened immune systems resulting in more colds and flues, etc.

Question 2

This question is designed to allow insight on how the retired prison employees may have dealt with negative effects associated with their duties related to the execution process. It investigates the quality of any specialized training and availability of support service extended to those who work with executions made available by the prison institution. If available, this research seeks to learn how effective those resources might have been. Further, if any specialized training and resources were provided by the

prison, to see if these were voluntary or mandatory and how often these were used by the employees. Also of importance, is to learn whether the prison employees created their own formal and/or informal personal networks, support groups, and coping mechanisms; and if so, the reasoning behind that (lack of resources offered by the prison, discomfort in using the available resources, etc.). In short, this question seeks to learn what types of services and support mechanisms were available and most effective for prison employees who worked with the execution process.

Question 3

This question is important because documentaries and literature on the death penalty cite personal stories where people who were pro-death penalty prior to working with capital punishment at some point in their careers underwent a transformation that led them to adopt an anti-death penalty orientation. A good example of this phenomenon is provided in the documentary *At the Death House Door* (2008) where a former prison guard reported he had strapped down over 100 men for their deaths and just viewed it as “his job.” But him, it was not until he strapped down a woman (Karla Faye Tucker) for her execution and removed her dead body from the gurney after the process was complete that he emotionally broke down. He explained it was at that very moment that *all* of the other people he had strapped down had come back in his mind at once. From there on he refused to work with executions any further and quit his job shortly after. This question seeks to learn if death row workers’ political orientations changed during or after their employment, and if so, what were the underlying factors that led to those changes? And likewise, if there were no changes, then why?

Question 4

This question inquires about religious orientations; whether or not their beliefs had become modified during their prison employment and if so, in what ways? Did their belief systems become stronger, weaker, or did their orientations change altogether? Were their prior religious orientations largely undisrupted, but the belief systems within their personal religious orientations undergo significant modifications involving new or revised personal interpretations of old scriptures? These questions are important as religion is often a primary source of personal support during difficult times and provides answers to questions that are, while metaphysical in nature, often help bring relief in some private way. If their personal political orientation during their employment changed from pro-death penalty to anti-death penalty or vice versa, did religion also play a role in their transition? And if so, in what ways? Did religion matter?

Question 5

This research question is raised as disproportionately the number of people executed in the State of Texas since its reinstatement in 1982 has been African American and Latino (TCADP 2009). While the prisoners throughout the U.S. are disproportionately of color, historically the criminal justice employees have been majority white. Did the race of the prison employees who were involved with the execution process affect the way they perceived the racialized experience of the inmates undergoing the executions? Did their experiences arouse a racialized awareness(s) they did not have prior to working with executions? Did their experiences related to executing people of color change their perceptions of racism in the U.S. more generally?

CONCLUSION

We have reviewed a brief history of capital punishment and how it has changed as an institution across time. Executions have moved away from a single executioner who was the central public staged attraction, along with the individual(s) being executed (Robin 1964), to prison employees and the death row inmates representing the front-stage scenery deep within the backstage setting of the total institution where the executioner(s) are completely invisible to all witnesses. With the work of Milgram, we were able to see how conceptions of authority influence the work of prison employees subordinate to the power structures operating within total institutions, and how people can come to engage in controversial lethal activities they otherwise would have never imagined possible. Further, the illusion of who holds the power and where it seemingly ends was examined with Mills. In the case of capital punishment, while it appears to the general public that it is the prison officials and employees who are accountable for capital punishment, those most responsible are sitting at the top of the social hierarchies completely invisible and free of any liabilities related to social harms that might be done to those who sit below. Much literature has focused on the debate, the inmates, and other topics related to capital punishment, but very little has been focused on the prison employees who have had to work directly with the executions and the impact these experiences may have had on them as individuals.

This research seeks to gain a better understanding on the impact capital punishment has on prison employees. To do so, in separate chapters, this study will draw upon the theoretical work of Erving Goffman (1958), James W. Marquart, Sheldon

Ekland-Olson, and, Johnathan R. Sorenson (1998), and George Ritzer (1993) to assist with the analyses of this study. First, Goffman's work on *Asylums* will be used to focus on how the complex social roles operating at the micro-levels within socially constructed environments representing total institutions affect changes in both the perceptions of death row workers and people around them. Specific emphasis will be placed on the "staff" side of Goffman's work and will be applied to how the participants in this study as prison employees, functioned within total institutional setting as members of the execution teams.

Marquart et al.'s "inclusionary/exclusionary" theoretical paradigm will be used to assess how the historical social location of the participants in this study is directly related to not only their own subjective perceptions, reflections, and experiences, as former members of the state prison institution, but their connection to the larger social issues at hand. This chapter will allow us to see how cognitively, the social constructions of reality creates privileges some groups take for granted because they are considered valued members of society, while through forms of dehumanization excluding those who are considered not worthy of existence. Extreme forms of social exclusion and human devaluation can lead to lethal forms of segregation, and even death. The respondents in this study worked directly with those most devalued on U.S. society. Here we will see their viewpoints on the condemned inmates and how they think society should handle people convicted of capital murder.

Lastly, Ritzer's "McDonaldization Theory" and the core components within (efficiency, calculability, predictability, control, and rationalization) will be used to

demonstrate how processes operating at macro and meso-levels have served to uphold images of capital punishment as a “humane” institution. This image is upheld, however, through the dehumanizing institutional processes internalized by those who work directly with capital punishment along with the individuals who undergo executions, and all other parties otherwise affected. This chapter will demonstrate how the objectification of the prison workers and death row inmates alike, are necessary components in the socialization processes for the practice of capital punishment to even be a reality not just in U.S. society, but most any society.

This dissertation hopes to provide a greater understanding of how capital punishment affects prison employees who work with executions and stimulate ideas for future research related to this much neglected topic. Retired prison employees who worked on execution teams in the State of Texas were interviewed for this study. Their accounts and described firsthand experiences will be used to present inside understandings of the death penalty from their own unique viewpoints. The participants in this study represented many different ranks and positions from the highest in the political sphere to the lowest on the strap down teams. Because this people interviewed in this research represent a hidden sample, the proceeding chapter will present the research design and methodology used for this study.

CHAPTER II

METHODOLOGY ON STUDYING A HIDDEN SAMPLE POPULATION

QUALITATIVE METHODS

This research studies the impact capital punishment has on the prison employees who were responsible for carrying out executions in the State of Texas. Because of the sensitive nature of the topic and the relatively small number of retired prison employees who were invited to participate in this line of work within the prison setting in comparison to the large number of prison employees who do not work with capital punishment (Johnson 2005), most desirable was a research design that would maximize the amount of potential detailed information from subjective standpoints that could be retrieved in a very short period of time. This research assumes the position that, "...lives have natural histories that unfold over time and that these lives are marked by objective events and experiences" and that knowledge and interpretations of those objective events can be obtained through the participants in this study reflecting on, "the objective events and subjective definitions of those events" (Denzin 1992).

The data analyzed for this study rested at the nominal level making a qualitative over quantitative approach most appropriate. Maxim (2000) explains that the quantification of lower level data might not be very sophisticated or offer very much useful information. This is especially the case in this study since first, the sample was very small, and second, there was great variation in the responses given by the participants for this research. For example, while could have inquired on whether or not

perceptions related to capital punishment have changed with a quantitative approach, we would be left unclear as to why they have changed and our ability to identify the key pivotal points in the lives of the participants that took place that led to those changes would have been very limited (Neuman 2000).

In addition, qualitative methodology is most desirable because this research is largely exploratory in nature due to the little information known on the range of possible effects that might exist for people who have had some level of direct involvement with executions in state prisons. Qualitative methods are best used with smaller research samples where the researchers “interact with the participants; categories (variables) emerge from the data, leading to ‘context bound’ information, patterns, and/or theories that help in explaining a phenomenon” and “leads to discovering, building, or enhancing theory, as opposed to testing it” (Leedy 1997:196). No theory or hypotheses were tested for this study; rather research questions were generated to allow room for an inductive approach used for guiding the analyses and the larger answers. Existing sociological theories deemed appropriate for enriching the explanations provided by the participants in this study, however, were used ad hoc to provide help assistance with the analyses.

The importance of avoiding theoretical assumptions prior to the data collection and analyses was important in upholding the contextual integrity of the subjective personal meanings and perceptions as shared by the participants. Through ethnography, this research used data that can only be obtained through personal reflections and insights from the participants themselves, since the range of possible effects related to working with executions in state prisons is not well known or fully understood. For this

study, in-person interviews were the preferred data collection method as beyond asking the participants open ended questions from the semi-structured questionnaire, room for probing allowed for elaboration. The ability for the participants to offer subjective elaboration enhanced clarification and increased the descriptive contextual content of their answers.

In-person interviews were further valuable in making room for the “whys” behind the answers to be explored from their own viewpoints, which would have been difficult to yield with other methodological techniques. This is especially important to address methodologically because different very interpretations and explanations can lie behind the same exact answers for the different participants, as what was frequently the case in this study. The in-person semi-structured interviews with open ended questions followed with probing greatly increased the within and between variation between the participant’s responses in this study (Maxim 1999; Baxter and Eyles 1997).

Ethnography and Richer Data

Because making the greatest attempt to understand phenomena from the subjective viewpoints of others central to qualitative research (Horlick-Jones and Rosenhead 2007; Creswell 1998; Leedy 1997), “mediating frames of meaning” is at the heart of ethnographic and qualitative research (Agar 1982). As defined by Neuman (2000): “*Ethnography* comes from cultural anthropology. *Ethos* means people or folk, and *graphy* refers to describing something. Thus, *ethnography* means describing a culture and understanding another way of life from the native point of view” (p. 347). While it may be argued that the participants in this study do not necessarily represent a

different culture separate from the larger society *per se*, their many years of working in a total institution and direct experiences with capital punishment has affected their overall socialization differently than members of society who have had little to no experiences with total institutions and the death penalty.

Research has shown that total institutions have independent cultures operating from within that are quite unique to greater society (Clear, Reising and Cole 2012; Johnson 2005; Goffman 1961). In this research, understanding the “natives point of view” refers to the reflections focused on past experiences that took place within the total institution as described by the participants. This study is concerned with expanding the retrospective cognitive scopes of the shared personal experiences and perceptions with a particular “emphasis on understanding situations that have occurred rather than predicting the value of one variable given a knowledge of others” (Agar 1982:781).

Critical Ethnography: Empowerment through Reflection and Knowledge

But even further, this project seeks to engage in what is called “critical ethnography” as described by Simon and Dippo (1986) where:

...ethnography as a general term refers to a range of possible procedures for structuring one’s experience into a systematic account which renders the social practices into patterns through which social forms are constructed and maintained. Critical ethnographic work transforms this general procedure into a particular one by supplying it with additional perspectives, principally historical and structural, that alter the ethnographic project toward one which supports emancipatory as well as hermeneutic concern” (p. 201).

Critical ethnography is in line with Alain Touraine and Pierre Bourdieu's call for "the sociological intervention and the provoked accompanied self-analysis" where semi-structured sociological interviews privilege the dynamics of epistemology and hermeneutics to draw out "practical knowledge of the practice because this knowledge bears the stamp of routine as long as the practice is shown conclusively to be the doings of 'individuals, groups, substantial realities'" (Hamel 1998:10). Within these claims, the participants in qualitative studies are the ultimate bearers and authority of the sociological knowledge researchers study and use to translate in a way that is readable for all audiences, particularly those who belong to the population upon which the samples were drawn (Baxter and Eyles 1997).

Enhanced Clarity through Fine Tuning the Interviews

To help strive more toward the critical ethnographic approach, in-person interviews served to increase assurances on accuracy of the data gathered through providing the researcher the opportunity to double check on the researcher's understanding and interpretations of what was being reported. As noted above, different people can hold the same beliefs with diverse underlying reasons behind them. The power of stereotypes, especially as related to "conservatives in Texas holding pro-death penalty orientations" for example, served to potentially confound the data without having the ability to address them during the interviews. Despite the researcher's commitment to dive into the data collection process and be as objective as possible when gathering data, there were moments during the interview process when it became

apparent that the interpretations of the interviews were indeed based on pre-existing stereotypes.

A good example of how pre-existing assumptions and even stereotypes can interfere with the accuracy of the information being reported is with a participant in this study who reported consistently holding a strong pro-death penalty position when entering into the prison work, throughout the time working with executions, as well as upon retirement and exit from the prison work. Without further inquiry for confirmation on clarity and accuracy of the researcher's interpretation of what had been shared, it could have been easily concluded by the researcher that the reasoning for holding a consistent pro-death penalty orientation throughout the career was simply due to there being no change in the particular values that provided the personal justification for this position. Instead, however, it turned out that the pro-death penalty orientation held by this respondent throughout the career was the result of profound internal changes taking place within the personal value system across time.

Initially holding a strong retributive oriented pro-death penalty position before the prison employment was the result of unreflectively following along with the general pre-existing pro-death penalty "flock" as described by Skylar. But it was through working directly with death row inmates and viewing the inhumanness of the prison conditions that led for a change in the underlying personal value system on why the reasoning for continued support had changed. Skylar had felt upon retirement that the death penalty was more humane than the prison conditions as they existed during the time of employment and working with executions. While the pro-death penalty position

was held consistently throughout the career, the underlying reasoning for the support had been profoundly modified across time.

Broadening the Horizontal Plateau to the Vertical: Rank Sensitivity

Another reason ethnographic research was deemed most appropriate is for this study is that because it was predicted the sample used for this study would be smaller due to the participants representing a hidden population. Defined by Heckathorn (1997), “‘Hidden populations’ have two characteristics: first, no sampling frame exists, so the size and boundaries of the population are unknown; and second, there exist strong privacy concerns, because membership involves stigmatized or illegal behavior, leading individuals to refuse to cooperate, or give unreliable answers to protect their privacy” (p. 174). With hidden populations, the unknown parameters and sensitive characteristics of the targeted research population makes it very difficult for the researcher to predict the potential sample size for the study.

An example of a hidden population is provided by Watters and Biernacki (1989) who studied the transmission of AIDS through people who engaged in intravenous drug use and high risk sexual behaviors and explain:

Frequently, the study of social and public health problems requires access to populations that are outside existing institutional or clinical settings. Such populations are socially invisible or "hidden" in the sense that their activities are clandestine and therefore concealed from the view of mainstream society and agencies of social control. The individuals who comprise hidden populations become more visible when they enter institutional settings (e.g., hospital

emergency rooms, drug treatment programs, jails, prisons, mental hospitals, and the criminal and juvenile courts). (p. 417).

In contrast to the sample population above, the inversed sample population for this study were employed members of the prison, yet engaged in the stigmatized death work largely hidden even in the total institution itself. It is not unusual for members of the execution teams to be unknown to the rest of the correctional officers (Johnson 2005).

Given there were no limitations on the roles retired prison employees who worked with executions had fulfilled, a smaller sample with the participants having held different duties, ranks, and titles within the execution teams was anticipated. Differences in ranks and specialized responsibilities among the employees who are directly involved with the execution process inevitably influenced the perceptions and angles from which they had been reflecting, when providing their responses to the interview questions. And while of course there is often some degree of overlap among participant's views who share similar orientations, of further question was whether employees who hold different ranks and titles would report similar information on the effects the work has or has not had on them. Would the focus of any shared personal concerns with regard to working with executions vary between different ranks and positions? Johnson's (2005) study on prison employees who worked with executions was limited to correctional officers of the same approximate rank, which categorically held the data limited to a horizontal plateau. Studying employees who hold different ranks and supervisory responsibilities broadens the categorical scope vertically improving the possibility of detecting major themes, as well as differences or anomalies, throughout the data that might be present both within

and between the employee ranks and positions (Horlick-Jones and Rosenhead 2007; Baxter and Eyles 1997).

PREVIOUS STUDIES AND METHODOLOGIES ON TOTAL INSTITUTIONS AND HIDDEN POPULATIONS

Engineering a research design that was best suited to study this particular sample population was somewhat of a challenge as the traditional strategy for recruiting informants from hidden populations is usually initiated through engaging in some level of direct participant observation within the research population under investigation (Horlick-Jones and Rosenhead 2007; Fowler, Jr. 2002; Neuman 2000; Cresswell 1998). To help compensate for this deficiency, the research design for this study incorporated various theoretical and methodological elements from the research studies highlighted below. These studies involved sensitive and/or hidden populations both inside and outside total institution settings, as well as critical historical analyses on major topics central to the lived experiences shared by the sample in this study (Perkinson 2010; Johnson 2005; Marquart, Eklund-Olson, and Sorenson 1997; Tolnay and Beck 1995; Ezekiel 1995; Marquart and Crouch 1985; Goffman 1961).

Previous empirical studies that were conducted within the total institution setting were of great theoretical and methodological value when designing this study as the participants were asked questions that required them to reflect on their experiences within the total institutional setting, even though the interviews were conducted much later in time in non-total institutional settings that had little or no bearing on their previous formal role as a prison employee (Johnson 2005; Marquart and Crouch 1985;

Goffman [1959] 1980). Without these detailed descriptive backgrounds, contextual understandings of the operations of total institutions and their implementation of role modification among both the workers and patients/inmates (Goffman 1980), would have been difficult for the researcher to grasp. Much of the crucial symbolic importance of the subjective explanations from the participant's viewpoints were shaped from their firsthand experiences in undergoing role transformations as they transitioned in ranks involving new or different duties throughout TDC and TDCJ.

Other sources reviewed used historical comparative methodology to examine topics that were relevant to this study, such as on the history of lynching in the south and capital punishment (Tolnay and Beck 1995), the history of capital punishment in Texas (Marquart, Ekland-Olson, and Sorenson 1998) and the history of the punishment and correction system in the State of Texas (Perkinson 2010). These studies will be used to triangulate the findings of this study through the application of historical knowledge combined with the theoretical models outlined in Chapter I. The combined methodology will increase the rigor and validity of the information gathered from the interviews in this study (Baxter and Eyles 1997).

And lastly, the work of Ezekiel (1995) will be reviewed as his methodological approach coupled with the strategies he employed in studying a hidden sample most closely resembles the research design used for this study. He conducted a purely ethnographic study on a sensitive and highly stigmatized population. While his methodology incorporated more direct involvement with his sample population and sample itself than this current research can afford, this study replicated his interview

techniques methodologically speaking. Furthermore, this research will model the very high level of ethics, professionalism, and integrity he displayed for himself as a scholarly researcher, the people who participated in his study as participant's, and academia most generally.

Study on the Total Institution: Lives of Both Workers and Patients

While quantitative research was being pushed as the dominant form of respected methodology in the social sciences during the middle of twentieth century, some important qualitative studies were conducted that still continue to serve as classics in the social science fields today. Perhaps most notably the work of Robert Park and Ernest Burgess (1927) who were the founders of urban ecology and William Foot White (1955) who carried out a study focused on “slum society” primarily using participant observation coupled with interviews, can be said to represent some of the best examples of the earlier qualitative traditions of sociology. Studies such as these employed ethnographic methodology that empirically observed the phenomenon under investigation in their natural settings and sought to comprehend the data from within its own social contexts.

In contrast to the approach of studying natural environments that are generally perceived to operating in their more natural states in the public settings, Erving Goffman (1961) conducted a qualitative study in what he defined as a “total institution.” He defined the total institution as a formally administered place of residence and work where a large number of individuals sharing similar circumstances are cut off from the wider society for substantial periods of time. His study on, what were then called

“asylums,” lasted for approximately 4 & ½ years. The asylums of that era are the near equivalent to what are often termed as mental institutions or psychiatric wards today. They are used to house people who are medically diagnosed as having mental disorders considered severe enough to be segregated apart from the larger unrestricted society.

While he was carrying out his research in the total institution, Goffman applied the same general ethnographic methodological rules and principles highlighted above to his study. When physically present in the rigid settings, he was largely invisible to those he was observing and unobtrusive within the research settings. Goffman observed the everyday routine social activity as it took place within its own very strict environment of the total institution setting. During the several years of study, Goffman spent approximately half of the time observing the patients as operating within their prescribed roles as “patients” and the other half observing the workers operating within their prescribed roles as “staff” in separate bi-annual time blocks. During these time periods he would occasionally ask a question to help him clarify observations that lacked adequate explanations at face value, but his work was based almost purely on observational methodology.

Goffman’s study on asylums is highlighted because this influential piece of work in the field of sociology was introduced as a new way of understanding the ways in which total institutions operate from within, which was largely invisible to the public eye prior. Goffman was examining the social construction of reality. His study was focused on micro-level human relations where he placed primary emphasis on the development, internalization, and continued maintenance of prescribed social roles

assigned to different socially constructed labels. His work privileged the viewpoints of both groups under study capturing the rather complicated social dynamics operating within and between both groups while under lockdown.

Without reading Goffman's study it would be difficult for one who has never experienced a total institution setting to imagine the intense polar transformations of social realities and re-socialization experienced by both the patients and workers within the total institution setting. Goffman's ethnographically rich study captured social phenomenon that could not be measured or studied through quantitative analysis.

Through observation coupled with occasional clarification received from the members of the total institution, survival and coping mechanisms as well as manipulative forms of behaviors were developed by both the patients and staff. Prior to this study, despite the urban legends and other horror stories, very limited information about asylums were only made available to the public from the institutions themselves.

Because the researcher in the current study will not be engaging in participant observation within the prison in any way, methodologically, Goffman's work provided the researcher cognitive insights and a general blueprint on the way total institutions function with relation to power structures and the manifestation of social roles. His work can be generalized to prisons as they are total institutions by definition. By relying on the knowledge generated by Goffman's study, the researcher was able to better structure the interview questions in a way that sustained continued focus on their experiences and perceptions as related to their roles and duties within the context of the total institution

setting, rather than seeking to gain understandings of how total institutions operate and so on.

As noted above, this study differs from Goffman's in that no observations or interviews took place within the total institution setting. The participants in this study were interviewed in informal settings of their own preferences after they had retired from working with both the capital punishment process and TDCJ. A limitation of Goffman's study was the inability to identify any possible short or long-term effects that might result from the exposures to various conditions unique to the total institutional setting, since the primary methodological focus was on the workings of the total institution unfolding in live time through observation.

This study builds on Goffman's work by exploring potential short and long-term effects controversial job duties carried out within the total institution might have on the employees. This study seeks to investigate whether there are any short or long-term effects associated with working in a total institution and working directly with the capital punishment process. The research design for the current study relied on in-person interviews with retired prison employees who worked with executions. This research will apply Goffman's theoretical principles as related to social roles and the total institution to the analysis portion of the study.

Study of Correctional Officers Who Served on Execution Teams

Because the research sample in this study was small and the amount of information gathered was limited due to resource and time constraints, further accounts on the perceptions of individuals who have worked with capital punishment presented

from their viewpoints and hold them as the primary authority over their own experiences is valuable to this study. Little scholarly work has been done on prison employees who have worked directly with capital punishment. Perhaps the most comprehensive study done on this topic was by Robert Johnson (2005) who carried out an in-depth qualitative study on correctional officers who worked with executions in the State of Oklahoma. All of his data was collected within the prison institution where he embarked on mixed a methodological design that involved a combination of participant observation and interviewing correctional officers who were actively working on the execution teams during the time the executions were being carried out with the electric chair.

Using that methodological approach, through interviews Johnson recorded some of the more immediate effects associated with working with the executions reported by the participants. With participant observation, he captured insights on how life operates for both employees and inmates within the prison setting. The limitations of his study, however, are that he was unable to identify long-term and/or potentially irreversible effects that may result from the re-socialization processes of the total institution and working with capital punishment. Johnson's participants were directly involved with the execution work, but little is known on why they agreed to join the execution teams and what factors were involved with those decision making processes. Due to studying the participants while they were employed for the prison, they may have felt more compelled to withhold their honest feelings and perceptions. His work was not able to capture how the perceptions and personal feelings relating to capital punishment might have changed over time. For example, questions in retrospect on whether or not there

were changes in personal religious beliefs and political orientations related to capital punishment after working with the executions could not be adequately addressed without re-interviewing that same sample upon retirement. In order to tap into such reflective insights, often there has to be time and distance between the work and retirement so the former employees have some time to process their experiences free of the social influences and responsibilities associated with the total institution and their former employee roles.

Study of Executions and Lynch Mobs in the South

While methods of executions and images of executioners has changed across time, prior to the twentieth-century executions largely took place through lynching in the United States. The laws that governed capital punishment were left to local counties where there was a fine line between an execution that was carried out by law officials and lynch mobs (Marquart, Ekland-Olson, and Sorenson 1998; Tolnay and Beck 1995). The peak of lynching in the United States took place shortly after slavery was abolished during the years of 1882—1930 (Tolnay and Beck 1995). Clearly capital punishment as an institution was inherently racist. The overwhelming majority of people executed were black and the practice of lynching black people was so tolerated that lynch mobs carried out many illegal lynching without any repercussions at all, some of which involved legal officials who were members of the lynch mobs (Marquart, Ekland-Olson, and Sorenson 1998; Tolnay and Beck 1995).

Through historical comparative analysis and the use of statistics applied to census data and historical records, Tolnay and Beck (1995) studied lynching in the U.S.

through the years of 1882-1930. Their research illustrated the racialized patterns of how the lynching's by white communities' primarily targeted black populations with the purpose of instilling terror. Their study was powerful in demonstrating that what were considered to be legally "legitimate" executions carried out by legal authorities was blurred with the hangings carried out by lynch mobs composed of highly respected local community members. Both types of lynchings, according to Tolnay and Beck, were mostly driven by the economic interests of the white society and the dominating power holders. Not only was their study important in demonstrating the degree to which capital punishment and the practice of executions was an inherently racist institution, but their study showed that people considered to be upstanding and well-respected citizens within their communities could engage in horrific acts of murder. Further, through archival data they illustrated the degree these acts were socially accepted, and even reinforced by the larger white society, as both types of lynching were macabre public spectacles where local families would gather and engage in festivities throughout the day leading up to the grotesque displays of murder. Not one single execution involved a black audience with a white victim on display for public entertainment.

Their study was helpful in providing a contextual historical framework of executions in the U.S. In contrast to other methods, lynching was studied demographically at the macro level across several decades identifying important regional comparisons and contrasts with relation to the social and geographical patterns of lynching practices during this time. Disproportionately the majority of lynching took place in the south where they soared in number shortly after the abolishment of slavery.

Again, economics is explained as the primary reason for the spike. Through archival data, Tolnay and Beck were able to show how lynchings were related to the larger social structures and supported by masses in white society whom did view themselves as monsters or immoral in any way. The terrorist practice of lynching fading out over time is explained as being related to perceived improved economic circumstances by white society—or southern white society no longer feeling black society to be an economic threat.

But what is missing at least as related to this study at hand, is further qualitative analysis that might lend to more insights to the various short and long-term effects lynching may have had on those who engaged and directly witnessed the executions. Beyond economic explanation, how was it that, from their own viewpoints, they got trapped into a mindset that fostered such brutality and violence? Did their viewpoints come to change over time and if so, how? We know that not all southern whites or whites in general, supported lynching as many were tortured or killed for challenging this horrific system. While studies such as these lack qualitative richness really only accessible through micro-level observations, the various studies reviewed above illustrate how both qualitative and quantitative studies focused on different levels of analysis from different theoretical and methodological angles are vital in generating knowledge that offers deeper insights on the how's and why's society functions as it does, while increasing the ability to identify social phenomenon that spurs changes (Leedy 2000).

History of Executions in the State of Texas

The most comprehensive study on executions in Texas was carried out by James M. Marquart, James, Sheldon Ekland-Olson, and Jonthan R. Sorensen (1998) comprised of primarily historical comparative analysis. Their study was theoretically driven with specific focus on the deeply embedded inclusionary and exclusionary social norms and behaviors regularly maintained by dominant white society. The thesis of their work argues that capital punishment is a practice that is inherently racist and classist; an institution that has been used to exclude those who have been defined by the privileged white society as the “most socially undesirable” people existing in society (Marquart, Ekland-Olson, and Sorenson 1997). Through much use of archival data coupled with census data, and the firsthand experiences of residing in the State of Texas for some length of time, their findings supported Tolnay and Beck’s work on the practice of lynchings in the south with regard to the racialized and social class patterns of capital punishment.

Their work diverged from Tolnay and Beck’s work, however, in that they studied approximately a century of capital punishment in the State of Texas ranging from hangings in the early twentieth century through lethal injection in the 1990’s. Their work critically examined the practice of capital punishment from the time local hangings were dictated at the county level and carried out by the local sheriffs at designated neighborhood trees through the time when capital punishment became an officially state sanctioned practice beginning with the electric chair, and later with lethal injection. Since 1923 all executions in Texas have been carried out in the death chamber at the

Walls Unit in the Huntsville Prison by correctional employees. Their work demonstrated the ways in which the legal system is so deeply embedded with racialized, gender, and class bias that the majority of people who have been executed in Texas have been males of color who come from poverty. The overwhelmingly majority of people executed in Texas, including white defendants, are male and come from poverty.

This work is of central importance to this study as it provides an in depth historical understanding of the practice of capital punishment in Texas through the use of longitudinal comparative historical analysis. In addition, their overlapped lived experience residing in Texas with time periods when executions were being carried out led the researchers to heightened insight as insiders of the state and regional cultures looking out rather than outsiders attempting looking in. And also of importance is that author James M. Marquart worked as a prison guard in a Texas facility for a few years where he carried out participant observation within the prison setting and conducted both formal and informal interviews with both the prison workers and the inmates. That experience provided insight on how life within prison operates and impacts both the prison guards and inmates in various ways (Marquart and Crouch 1985).

Collectively this previous work, which is largely qualitative in nature, has not only provided theoretical grounding and greater sociological understanding on the nature of capital punishment and the prison system in Texas, but aided in building the research design for this study through identifying what was missing in the literature on capital punishment and the State of Texas. What is missing from this work is the long-term and/or irreversible effects capital punishment has on the prison employees who carry out

the executions. Because the historical comparative work has been done on the prison environment and capital punishment in Texas, for both prison workers and inmates, this research hopes to assist in filling in the gap with the semi-structured interviews of retired prison employees who were involved with the lethal injection execution process in Texas.

Study of the Texas Prison System

Another in-depth study on the Texas prison system was carried out by Robert Perkinson (2010) who focused on how the larger prison systems throughout the nation have modeled their physical and social operations of their correctional facilities largely after the Texas prison prototype. Using mixed methodology, Perkinson also employed historical comparative analysis, in-depth archival research, field work, and in-person interviews to complete his research study. This study supports the research above on both the history of capital punishment in the South and in Texas, as well as the ways in which racism and classism operates through the criminal justice system to keep U.S. society continuously segregated.

Furthermore, Perkinson clearly demonstrates the systemic role economics play in this type of “legalized” social inequality that exploits and alienates inmates for purpose of economic gains of those who have vested economic interests in the criminal justice system itself. In contemporary times significant economic proceeds are made through the same plantation work that stems directly back to slavery through the newer phenomenon of the privatization of the prison industry that requires thousands of warm bodies to keep the cells filled. While violent crime rates have not increased across time,

through the war on drugs prisons have remained continuously overfilled annually costing tax payers billions of while the small percentage of investors are reaping the incredible profits.

This work illustrates the positive correlation between the history of capital punishment and systemic legalized violence aimed at communities of color for economic exploitation and profits. The criminal justice system in Texas was built upon the slave system and plantation ideology where the majority of prisoners in Texas worked on plantations and provided enormous profits for both private property owners and the state through their free labor forced under the most brutal conditions. This paradigm dominated the Texas prison system up through the major prison reform that was federally enforced during the early 80's, upon which the work conditions for inmates were radically modified leaving many offenders housed inside the prison units under harsh conditions that have only changed in form.

While the plantation ideology is still in place and some percentage of prison workers in Texas (and beyond) are still assigned to agricultural work, through privatization the prison system has become a major profit industry and the number of prisons built throughout the nation over the last three decades designed to house prisoners 24-hours per day has reached both historical and global record breaking levels. Perkinson's work demonstrates the way the legal system has been used to hold segregation firmly in place from the literal practice of slavery on plantations to housing prisoners in the total institutions for economic profit, a model replicated by other states throughout the nation.

While Perkinson's work employed mixed qualitative methodological techniques and a critical examination of the history of the Texas prison system and how it has changed across time, unlike Marquart et al.'s research, capital punishment was not the central focus of his study. But from an inductive approach, Perkinson accents the historical comparative knowledge on the growth of the prison system as a total institution system that largely replaced the earlier asylum system. In earlier U.S. history psychiatric wards served as the dominant form of the total institution system under the name of medical authority rather than legal. Even with the interviews and field work that briefly addressed capital punishment in Texas in Perkinson's study, the impact executions have on prison employees who work with capital punishment were not addressed. Nevertheless, his work is theoretically valuable and will be used during the analyses phase of this study.

Study of Neo-Nazis and the Ku Klux Klan

Perhaps the most in-depth study conducted on white supremacist was the bold ethnographic research carried out by Raphael Ezekiel (1995) where he studied leaders and members of white supremacist groups through both face-to-face interviews and modest levels of participant observation (attending a cross-burning from a distance and church services where he sat in the back or off to the side of the rooms, etc.). While Ezekiel's work is not theory driven and lacks historical comparative knowledge, it provides solid groundwork to assist with theoretical development in the areas of racism, white supremacy, power relations, and social movements. The work in this book was not triangulated, a practice more commonly used by qualitative researchers that involve

multiple scholarly sources/previous research, using mixed methodology, numerous investigators, and relying on pre-existing theory (Baxter and Eyles 1997). But similar to this study, Ezekiel's in-depth research was exploring an area that had not been studied before that close up. His work is a prime example of what rich qualitative thick description looks like in terms of holding the focus of the study squarely on the participants and firmly within the context of their own interpretations and personal experiences.

In studying hate-groups over a several year time span, through building trust and rapport Ezekiel interviewed active white supremacists, including high profile leaders. A vital aspect for his success was building trust in a way that ensured he as a researcher would not interfere with their beliefs and practices, or legally jeopardize their lives. It was an incredibly sensitive study with much risk involved for both Ezekiel and all who participated. The information couched in the data he collected could not have been elicited through other methodological techniques—even those that are typically used to triangulate studies. Though because of the production of knowledge and theory generated from his research, this work can be used to theoretically triangulate other related studies.

He found that the leaders of white supremacist groups are often highly educated and reared in middle class homes. While they form these groups for a variety of reasons which include economic purposes and enjoyment of being at the top of the power hierarchies, ironically they are those who are actually least attached to the propaganda they teach and circulate. Furthermore, he found that while the leaders are the ones who

generate hate ideologies often promoting violence, they are the least likely to engage in violence or other risky and/or illegal behaviors that may pose any serious threats to their own health and well-being.

In terms of the followers, he found they are typically younger white males from broken lower socio-economic status homes. Many followers lack explanations for the troubles and hardships they and their families face, as well as positive role models and sound guidance. For these members, the hate groups provide answers and explanations, as flawed as they may be, to their many questions that seem make most sense to them, at least during these particular phases in their lifetimes. His work shows the ways in which the leaders prey on, and exploit their followers in countless ways.

With the participant observation aside and ability to build trust and rapport prior to carrying out interviews, the methodological approach as related to the data collection process in this current study most closely models Ezekiel's approach. The participants in this study are members of a very sensitive sampling population that require the highest levels of protections scholarly research can offer. In Ezekiel's study, no deception was used and all information about his study was up front for the participants to see. To help build mutual trust and rapport with his participants, he scheduled the meetings and interviews at the locations, dates, and times, determined by those who participated in his study. While the settings and locations of the interviews varied, they were all places where the participants felt at most ease and safest in sharing the maximum level of information they were comfortable in disclosing. Traveling out to the locations of the participant's preference was also important for Ezekiel so he could, even if ever so

briefly, tap into the more intimate social and ecological characteristics of their private worlds and surroundings. This strategy improved his ability to process the disclosed information from the participants more precisely, from their own personal viewpoints. In this way, he strengthened the “rigor” component of his research as emphasized by qualitative methodology.

The current study is also methodically different from Ezekiel’s in that he conducted more than one interview with several of his participants and further, when invited to do so, attended events held by the hate groups that are hidden from mainstream society. In the current study the participants were only interviewed one time and more general field work was carried out through studying the outside surroundings of the prison and neighboring areas. Due to limitations on time and resources, there was virtually no opportunity for the researcher to build rapport with those who participated in this study and the initial trust on part of those who agreed to set up the interviews had to come from those who had referred them. And unlike Ezekiel’s methodology, the researcher in this study did not engage in any direct participant observation, such as, observing prison officials preparing to participate in the execution process, and so forth.

Mixed Qualitative Methodologies

This research project will use a combination of the methodologies highlighted in the studies above to assist with the overall data collection and analyses for this study. The combined literature on both capital punishment and total institutions reviewed above will be used to assist with triangulating the findings of this study (Baxter and Eyles 1997). Providing readers of all audiences with the general history of the Texas prison

system and capital punishment, as well as familiarity with the characteristics and functions of total institutions and the various ways they affect all people involved, is crucial for enhancing a greater understanding of the viewpoints and experiences disclosed by the participants in this study. This mixed-methodological approach will increase the reliability of this overall research for the participants in this study, as well as the larger hidden population they represent (Baxter and Eyles 1997).

RESEARCH DESIGN

This study employed the use of mixed qualitative methodologies by carrying out semi-structured structured interviews with retired prison employees who worked with capital punishment and conducting general fieldwork in Huntsville where the executions in Texas are carried out and the surrounding areas. While open ended interviews were most desirable in terms of maximizing the greatest variation of potential information, the semi-structure interview format served to uphold a level of standardization and uniformity between questions asked of each participant. The semi-structured interview format also assisted with the keeping the length of the interviews to approximately 1 hour with each participant—the approximate length of time the participants were told the interviews would take. Most interviews lasted approximately one hour, though some went closer to one and one half hours, and two interviews went over two hours.

Another benefit of the semi-structured interview format is that it enhanced the robustness of the research design. Using standardized open-ended questions followed with probing, deeper descriptive, contextual and detailed follow up answers illuminated the clarification of the content being reported. At times probing was used when the

answers were clear but in conflict with information reported in previous interviews. The semi-structured format allowed the researcher opportunities to find resolutions and explanations for identified conflicting information and inconsistencies between the respondents in this study. Often the conflicts in information reported were the result of differences in time periods the participants were referencing as many institutional changes have taken place in the prison since the death penalty was reinstated in Texas. So the probing technique was crucial for gaining clarification of the answers provided and resolving conflicting information, which could not have been detected or corrected with a fully structured survey for example.

Perhaps the most important feature of the semi-structured interview format was that it allowed the informants to decide how much information they wished to divulge and navigate the directions in which they wished to take the interview questions relative to their own experiences. Through increased power over the communication, the interpersonal interaction within the interviews allowed the researcher to better identify any signs of changes in comfort levels, which cued the researcher on whether the use of probing was appropriate or not with any insufficient answers provided. When there were long moments of silence from the participants, rather than probing the researcher asked the participant if they wished to “pass” and move on to the next question. Rarely did those pauses indicate the participant’s wishes to pass but rather represented moments of deep thought. When the participants did not want to answer a question they immediately signaled they wished to pass. In only one interview did the participant pass on many questions and in all other cases, the participants answered at least partially all questions

asked of them—sometimes with significant pauses and answers that eventually followed. In the cases where the participants “passed” while on record, they provided “off record” answers to the questions when the formal taped interview process was complete. Their verbal and non-verbal communication styles were important in guiding the interviews so their own personal comfort levels were adequately met, with relation to their participation in this study.

Lastly, because the researcher in this study does not have first-hand experience in working directly with, or witnessing executions, or experiencing life in a total institution setting as an employee or a patient or inmate, the semi-structured interview format was flexible enough to allow the interviews to develop their own distinctive dispositions relative to the meaningful experiences (both positive and negative) unique to each participant. In this way, while their identities are held strictly confidential, distinctive aspects of them, as different individuals, are still conveyed. While the primary questions were consistently asked of each participant during each interview and in the same manner, no two interviews were alike and each interview added new insight to this study. This interview format stimulated new ideas and a greater understanding of the experiences retained by the participants in this study from their viewpoints, which will be useful for future studies on this same topic. The interview data was documented through both audio and written recordings.

While some archival data was analyzed, it was not used directly due to running the risk of releasing the identity of this particular respondent. The archival data consisted of personal information, items, and various types of memorabilia from when this

participant was employed at the prison and worked directly with the executions. Any information used from the archival data is referenced as a general point related to the research topic without any specific citation. While not used as primary sources for this study, the archival data provided assistance in triangulating some of the conflicting information obtained in the interviews and better insight to what it was like for prison employees to work directly with the execution process in Texas.

The third type of data that was originally incorporated in the research design for this study was diaries. After each interview, the participants were asked to keep them over a 6-week period of time then return them in the furnished pre-paid self-addressed package back to the researcher if comfortable in doing so. The intended purpose of the diaries was to include information missed or not discussed during the interviews due to things as forgetfulness or discomfort in verbally answering the questions. Any information obtained from the diaries would have been used to further triangulate the findings in this study. While the participants in this study were comfortable in completing the taped interviews, they expressed lack of interest and/or discomfort in keeping the diaries.

Lastly, the fieldwork consisting of notes and pictures taken of the prison grounds, town of Huntsville and surrounding communities was conducted for the purpose of obtaining a greater contextual understanding of the general community(s) the retired prison workers had lived in during the time of their work at the prison. One of the notable differences between these areas in current times versus the past is that in current times there are very few clues to suggest Huntsville is the capital punishment capital of

the nation. Unless in front of the Walls Unit on the days executions are carried out with a scant few anti-death penalty demonstrators protesting the death penalty, one would have virtually no idea an execution was even taking place. In the past, Huntsville was riddled with execution themes that celebrated their capital punishment status along with both pro-death penalty and anti-death penalty demonstrators filling the main street on and around the Walls Unit. This local cultural shift from boasting of executions among businesses and surrounding environments to relative inconspicuous invisibility will be studied further in this research as it was that very element of capital punishment in Texas that initially raised great sociological alarm for the researcher.

Sampling Method

The respondents in this sample represent a hidden population making it very difficult to identify and locate potential participants for this study. The onset of the recruitment began before this study was even fully envisioned. The initial interest was spurred at an annual TCADP conference when Reverend Carroll Pickett, the first death house chaplain hosted a documentary and shared a bit of his own personal story. The interest was later supported by a couple of people who had either worked directly with the executions or knew somebody close to them who had worked with the executions strongly encouraging this future study to be conducted and emphasizing the great need for this work to be done. Prior to the onset of this study there were 5 former prison employees who offered to participate in this study if it were to be carried out. These 5 informants held different, but crucial positions on the death penalty and their former job duties varied in rank. All initial participants were former prison employees who were

directly involved with the execution process of death row inmates at the Walls Unit in Huntsville, TX.

Due to the difficulty of identifying and locating former prison employees who had involvement with capital punishment, a referral method for obtaining participants was used. This sampling strategy began with the first 5 existing people who stated their interest and willingness to participate in this study and worked out from there. While several of the referrals granted interviews, there were some instances where the individuals referred were not interviewed due to various types of severe health related issues or in one case, some level of psychological trauma as a result of working with executions. Other cases where interviews did not take place were with referred individuals who were interested in participating in the study but were still actively employed by TDCJ or simply not being able to locate a few of the other individuals who were suggested by the participants. Due to the potential risks involved with participating in this study, especially with the possibility of arousing negative feelings and any past traumatic memories associated with executions, referrals with any indicated health issues were not interviewed. In the initial research proposal, the only limiting factors stated for participation in this research was with relation to age and previous experience in working with executions. Health related issues were not thought of as potential limiting factors at that time but were incorporated after the study began.

Participants

Participation in this study was strictly limited to only informants who were former prison employees or who were in some way directly involved with the executions

carried out at the Walls Unit in Texas. Because of the sensitive nature related to the job duties among prison employees who work with the execution process; high stress levels that accompany this particular line of work; and to avoid any potential conflict of interests, this study did not interview current TDCJ prison employees at the time this study took place, under any circumstances. Only individuals retired from, or no longer employed for TDCJ participated in this study. In addition, this study did not seek out to interview current or former inmates who were assigned responsibilities related to pre and post-execution duties (cleaning the execution chamber, grave digging, and so on).

Because all informants had to be of 18 years or older to be eligible to work in the prison and it takes years to be invited to work on an execution team, there were no concerns for age limitations regarding the participants in this study. Aside from limiting the interviews to only retired prison employees or others who were officially associated with TDCJ free of any serious health issues who were previously involved with the execution process, there were no other limitations.

The initial goal on the optimistic end was to obtain a sample of 30 participants and no less than 5 on the pessimistic end; though a total of 16 people had participated in this study. The researcher was limited in the approval time allowed to conduct the interviews with 1-year from the NIH for the Certificate of Confidentiality and 1-year from the Texas A&M University IRB that was reduced to approximately 8 months due to the differences in overlapped approval times between the two. Due to the limited time and resources, time extensions to carry out more interviews were not requested even

though referrals had suggested they would participate at a later date. Had there been more time and resources available, it is likely the goal of 30 could have been met.

The primary reasons for the smaller sample number was that often there were significant time gaps that took place between completing interviews and getting new referrals. For example, with one interview there was a 4-week waiting period before the interview took place from the initial scheduling, and then when the next referral(s) were given at the end of the interview from the interviewee, it took several weeks to schedule and conduct those interviews. Coordinating schedules was important because all interviews were out of town for the researcher and in vastly different locations throughout the State of Texas.

Another factor that placed limitations on conducting interviews at a faster pace was the limitations of personal resources as this project was funded almost solely by the researcher. The TAMU sociology department provided a small monetary grant and a personal friend provided a vehicle for safe long distance traveling to carry out the last few interviews scheduled. So coordinating schedules for the interviews was a time costly stage in the data collection process, though the longer durations that rested between the time of scheduling to when the interviews took place allowed the participants more generous consideration with the decision making process on whether or not they still wished to participate in the study when dates of their appointments drew near.

A brief introduction to the participants in this study

The participants in this study are unique from the U.S. population in a variety of ways. They are even unique from the general prison employee populations due to their

past involvement with capital punishment in Texas. Some of the participants in this study are publicly open about their identities and their prior work; while for others, their involvement with executions is private and not shared with many, including their own personal family members. Both male and female participants are represented in this study, as well as people of different racial and ethnic backgrounds and socio-economic histories. The general age of the participants is skewed to closer to the years of retirement, though some participants were a bit younger than the official age of retirement.

When constructing the design for this study, the primary concern was affording those who participated in this study the greatest protection possible. Thus, many precautionary measures were stipulated in the research protocol and Certificate of Confidentiality to protect their identities when referencing personal and/or identifying information they shared about themselves or others during the interviews. Several participants were not concerned if their real identities and names were used in this study, while others would not have participated in the study without the strict precautionary measures in place. Without the protections, those who indicated concern regarding personal confidentiality likely still may have participated in this study, but may have been far more conservative in responding to the questions asked of them during the interviews. Others were not so much concerned, or even concerned at all about the protections afforded, but rather stated that the only reason they agreed to participate in this study was because of the person who had referred them. So the reasons and

conditions for why the participants took part in this research varied greatly and all had expressed their hope in being of help to this study.

Nonetheless, exact ages, specific race, gender, and any other personal information that could lead to the identities of the participants in this study will not be shared, even if permission was granted to do so by some who took part in this research. Below each participant will be briefly introduced in the best possible way that broadly captures general characteristics shared by many both in TDJC and larger society. This will help provide the readers with an impression of the general personality and tone in which they were speaking when their interviews were conducted. The characteristics that will be shared are those that overlapped with several of the participants and further, could be applicable to many others who did not participate in this study. Religious orientations for example and doing outreach or educational type work on capital punishment is something that a number of retired prison employees share. Both being a Native Texan and coming from somewhere outside of Texas are common features, but these are the only 2 possibilities of the prison employees, for example. Different dispositions from being on the more introverted and quiet side or on the more extrinsic and outgoing side are characteristics shared by many in virtually all social settings.

So below are very general brief descriptive introductions to each informant who participated in this study and it should be cautioned, that assumptions about the characteristics these people should be avoided as any one of these people could be male or female, black or white or of a different ethnicity, and so on. Because of the size of the Texas prison system and employee populations, it is easier to hide identifiers related to

the participants in this study. Over the last several decades the prison system has gone through countless employees at all levels, including those who have worked directly with capital punishment due to the number of executions that have been carried out in the state since 1981.

Leslie

Leslie was born and raised in a small town in Texas and now fully retired, though was still very active in religious and community outreach, and educating the public on issues related to capital punishment. With a robust posture and solemn expression, Leslie was very soft spoken and an intent listener. When Leslie spoke, every word was meaningful and conveyed out of authenticity, leaving all expressions during communicative exchanges significant. Smiles from Leslie were not trivial—when smiles came forth, they were truly meaningful. The primary researcher interpreted this particular feature of Leslie as a sign of the weight the death work has had on this individual with the occasional smiles representing genuine deep appreciation for whatever thought initiated warm sentimental expressions.

Leslie was raised in a segregated world and continued to live around people of primarily the same group until employment at the prison. Leslie obtained a college education and the majority of life up through retirement was spent in Texas. Upon employment at the prison, Leslie held a pro-death penalty position and maintained that position for some time after engaging in the death work, until personal questions and concerns began to surface. Leslie continued to engage in the death work and eventually retired due to religious and ethical concerns, and fatigue.

While critical of the death penalty as an institution, as with most others who participated in this study, Leslie reserved caution on holding the same judgments to the prison employees. It was not that there was denial of responsibility, but rather an avoidance of speaking negatively about anybody as Leslie had realized from experience, the inner workings of the prison are more complicated than individual level choices.

Shelby

Shelby was born and raised in a small town in Texas during Jim Crow segregation and maintained a pro-death penalty position that is supported with personal interpretations of the Biblical scriptures, though maintains better ways to handle inmates who have been sentenced to death should be sought out. For example, life in prison without the possibility of parole might be a better solution if the inmates had positive incentives within the institution, but was against this alternative if it meant that the inmates would spend the rest of their lives in solitary confinement.

Perhaps the best descriptors of Shelby would be with the two words, punctual and precise. Shelby was a convivial person with a patient and balanced demeanor who had firmly set personal positions on the issues addressed in this study, but was open to, and interested in, dialogue. That is, while Shelby had well developed personal standpoints, there is always room for critically thinking on how to make improvements to environments where any human being or group of people are involved, or figure out how to improve solutions that are already in place.

Throughout the years Shelby has had diverse experiences that have served to enhance a level of understanding of people of all backgrounds that cut across race, class,

and gender, that is beyond members of the same group. Prior to college years due to segregation however, there was virtually no interaction or direct experience with people of other races or ethnic groups. Though in college during the 1960's, Shelby's training involved educating students of racial groups with whom there was no prior experience. These experiences in the early adult years made some significant lifelong impressions on how social issues affect people of different groups and how social inequalities stratify people and groups into different social positions that serve to benefit and privilege some people over others. So by the time it came to working in the penal system, Shelby's prior education coupled with lived experiences served to ease the various transitions that are associated with working in a total institution with diverse groups of people who have been stigmatized by society in a variety of ways. Shelby is a very religious person whose work involves religious outreach and counseling.

Kelly

Despite the more intimate involvement in the execution process coupled with the general darkness of the topic, in a relaxed disposition, Kelly's meeting was welcoming as s/he was very comfortable in discussing prior personal experiences in working at the prison and with capital punishment. Kelly was very impartial who accepted people and their individual circumstances as they come. As a seasoned retired employee who has worked various positions within the prison system for many years, when it comes to human behaviors of any groups, not much seemed bring surprise. Kelly's demeanor when communicating about prison life for both inmates and prison workers suggests, in a very casual manner, that this individual has probably seen it all.

Kelly did not seem to have any strongly committed personal viewpoints. When it came to discussing fellow co-workers with regard to the prison system and capital punishment in particular, Kelly was diplomatic. That is, Kelly seemed to have the unique ability to view complex issues from varying viewpoints with a general understanding of where the people, regardless of positions and roles, were coming from. When discussing the many topics and experiences, Kelly side with any one viewpoint.

While religious in a personal respect, religion was not an extrinsic core attribute of Kelly's personal identity and outlooks on the way the world works in general. In terms of politics, Kelly was politically indifferent and non-partisan. The only bias Kelly shared was the feeling that executions should not take place in prisons and it should not be the responsibility of prison employees to carry them out.

Tracy

Tracy was very composed and even keel. While raised in the South during the Jim Crow era, Tracy was not from Texas. Tracy had moved to Texas initially for educational purposes and the prison work ended up becoming primary employment through retirement. Tracy's initial intentions were not to have a career in prison work, and least of all, capital punishment. But life in Texas paved an unintentional path for Tracy.

Tracy was deeply religious in the Protestant Christian tradition that holds an anti-death penalty position, a position held prior to working with capital punishment. Tracy's mannerisms were such that mutual equality and esteem was conveyed in every respect from the time of being greeted to the time of departure. There was a level of candidness

displayed and when speaking, Tracy communicated thoughts clearly and carefully so responses were succinct.

While holding an anti-death penalty orientation, the primary reason for working with executions for Tracy were that they were going to be carried out regardless of what anybody thought or said, or done. At the least in such fatalistic situations, Tracy felt it was very important that people were present who could help ensure the conduct of others was as dignified and professional it could possibly be. Tracy felt further that being present at the executions extended a certain level of personal ease by knowing firsthand that everybody involved had carried out their duties to the best of their abilities for the sake of both the inmate and all others involved. In such situations, one can only have that assurance through firsthand observations. But in addition to the reasons just stated, ultimately by being present at the executions, Tracy was better able to fulfill the job duties and functions associated with capital punishment.

Robin

Robin was not from Texas and reared in a family that moved frequently due to the father's profession that eventually led to settlement in Texas. Even though it was not until the early adolescent years that life in Texas began for Robin, a very strong Texan persona was central to Robin's character. That is, on the surface Robin's presentation of self was tough and firm, yet beneath not visible to the human eye was an individual who had deep emotions relating to the issues presented in this study relative to personal experiences.

Robin reported having a solid pro-death penalty orientation upon entering the world of capital punishment and exited with an equally firm anti-death penalty position. The international and national social experiences have served Robin well in establishing the ability to draw upon diverse critical perspectives that extended well beyond state and country level dominions to make culturally relative comparisons of conceptions and definitions of social justice. While firmly committed to social justice, but recognizing that social justice is not a static concept or phenomenon, Robin has combined personal experience, various forms of knowledge from throughout the world, and informal studies, to resolve personal conflicts with relation to the issues raised in this study. The critical position of the “Law of the Land” ideology demonstrated Robin’s knowledge and experiences demonstrated progressive mindset.

While Robin was heavily religious and maintained unwavering personal political sentiments on the various social issues covered in the interview, had strong conceptions of justice and equality. Despite Robin’s powerful positions and moving testimony, avoided involvement with political groups and any type of activism work.

Kasey

Kasey was friendly and cordial, but somewhat reticent. Kasey had a stout posture, was physically fit, and conveyed an assertive demeanor. While near the age of retirement and retired from prison work, Kasey was still active in the field of criminal justice and worked with legal issues that involved other states throughout the nation at the time this interview took place. Kasey had worked in the prison system for several

years and held a higher level supervisory position that involved overseeing many units throughout the prison system in the State of Texas.

Kasey was the only participant in this study that withheld sharing any personal orientation related to religion, politics, and positions on capital punishment. But Kasey had mentioned that such questions had never been asked of him/her before, so they were somewhat of a surprise. While personal walls were clearly up in terms of disclosing personal thoughts and feelings regarding the issues in this study, with genuine concern for others, through professional authority and experience, Kasey made suggestions on how the prison institution could make needed improvements for the prison employees who work with executions and inmates. Here, Kasey was not comfortable discussing the self, though did not mind discussing issues where the focus is on others. Part of this was for self-protection, but also, it appeared that the questions in this study had deep personal meanings and it would be disrespectful, if not unfair to others in both the past and present, to open them up for discussion.

Cameron

Cameron was deeply religious with a strong anti-death penalty orientation that was in place prior to working in the prison and with the death penalty. That orientation did not change. Cameron was a very relaxed person and often incorporated humor and compassion, sometimes mixed with dark facetiousness, into personal memories and experiences. The detailed descriptions always involved the unique ironies woven into the both the general prison work and work that involved the death penalty. Cameron was candid in explaining how working with executions affects people from the families of

both the inmates and victims to the prisoners and workers. Cameron's responses often went much further beyond the mere surface of the death work through contributing rich details that could only be known to people who have had these first-hand experiences.

When sharing personal impacts and experiences, it was clear the role "inside humor" laced with underlying compassion and sensitivity played in upholding the general health and wellbeing of not only the self, but all those who in some way came into contact with Cameron. Cameron's genuine positive attributes were contagious in the most uplifting ways. As a person who had worked in the Texas Prison for several years in many facets of the institution before being asked to work with capital punishment, Cameron's role with executions was not by accident on part of the invitation from the institution. Cameron had unique personal attributes valuable to the death work and all parties involved. Very few people have the perfect emotional balance that demonstrates a very real and genuine understanding of the different and often complicated viewpoints that involve the different cycles of grief, mourning, anger, and so on, that all parties involved with the death penalty experience in their own unique ways. Cameron's had a keen ability to see viewpoints of all angles, and work with individuals on their terms and within their own very diverse walks of life.

While Cameron had a stealth personal anti-death penalty orientation, a clear *sociological* understanding of the pro-death penalty positions and all those that may lie in-between held by fellow workers, the institution, and victim's families, allowed for effective communication within and between all people, which served to ultimately build

bridges between groups when circumstances allowed—between parties who were otherwise assumed to be in irreparable conflict.

Jodie

Jodie was a Native Texan raised in a small town and a very friendly person to talk with about the prison world and capital punishment. Jodie's visual surface suggested a no non-sense demeanor that conveyed the strong arm of law enforcement; not somebody inmates would want to test in any respect. But after the ice was broken so to speak, it became clear Jodie did have some soft spots when it came to dealing with sensitive issues that are related to vulnerable prison populations in particular, such as those related to female populations and death row inmates.

Jodie conveyed a balance that demonstrated the ability to stand up to, and effectively the handle predatory and/or the most hardened of inmates, while at the same providing an unwavering assurance to vulnerable inmates that they would be safe and protected, and that Jodie is a person they can trust with the most distressing of situations. When talking about various issues in the prison world in general, Jodie's direct communication style and unfiltered language that was spoken within the prison setting used to describe some examples almost seemed to take us mentally to those things and experiences that were being described, a type of narrative that could not be captured with books or writings.

While raised in a conservative Native Texan family, Jodie came from a religious tradition that has an outspoken position against the death penalty. That is, Jodie's immediate and extended family holds an anti-death penalty position resulting in

difficulties in providing their full support for Jodie's work at the prison, particularly any type of work that is related to the executions. While highly religious and deeply committed to the family's religious tradition, Jodie has found ways to reconcile the church's position with the death work by largely shifting that part of the burden onto the state and the notion that as a prison employee for the State of Texas, as several others have too suggested, the "Law of the Land" must be respected and obeyed without questioning, whatever that law may be. The latter ideology prevailed when asking about Jodie's personal position on the death penalty. But likewise, the sentiment would be the same if it was abolished—either way, it would be the Law of the Land.

Francis

While at the age of retirement, Francis was still at work full force in the criminal justice system. Francis was born and raised in smaller town in Texas. Francis began working in the prison during college studies, after which, the prison employment became a career. Francis held an anti-death penalty position when beginning his/her for the prison and still largely identifies the same, though through firsthand experience in working with death row inmates has acquired a minor pro-death penalty position that is reserved for approximately 5% of the inmates that are sent to death row.

Despite the powerful roles Francis has filled in the prison system over the years, Francis was calm spoken with a harmonic soothing voice that communicated a commitment to honesty and morality. Throughout the interview it became clear why Francis selected to work with capital punishment. Likely influenced by previous challenges life brought prior to the prison work, Francis held the capacity to manage the

most challenging of circumstances while innately sustaining a clear focus for optimum decision-making skills that was in the best interest of people involved with highly emotional situations. As described with some examples provided in the interview, split-second decision making was done without bias in favor of one group or another. The higher level position, however, allowed Francis to give orders to other below the ranks.

Francis' work ethic clearly demonstrated devotion to promoting more neutral environments with less emotional turmoil, expectations of professionalism and cooperation among the prison employees, and upholding routine order and continuous enforcement of the laws and rules of the institutions in the same vain. A genuine respect, professionalism, and a commitment to honesty, appeared to be deeply internalized and inherently embedded in every facet of Francis' character.

While religious, religion was largely kept separate from professional roles. Francis was raised in a Christian tradition that opposes the death penalty of which was maintained entering in, and largely exiting the death work. Likewise, personal political beliefs pertaining to the death penalty are also kept separate from professional roles. For reasons that will be later clarified, Francis maintained an anti-death position with a very small exception that was not reserved for retributive purposes.

Skylar

Skylar was a Native Texan and not religious. Approaching the age of retirement, Skylar was actively involved with the legal and political system. At face value and without elaboration on the responses given to the questions asked in this study, Skylar could be easily misunderstood about the sentiments related to the prison system and the

death penalty. As a proponent of capital punishment, Skylar's critical, rather unique position shaped by firsthand experiences from working with capital punishment amounted to reasons than those of the majority of employees who share the same camp. Their reasons were retributive-oriented in nature. Skylar's pro-death penalty position was for what might be considered for humanitarian reasons. For Skylar, life in prison as it existed at the time of this study, particularly with solitary confinement, was more inhumane than capital punishment itself. Skylar's pro-death penalty position was unlikely to change unless significant prison reform that was geared for making the quality of life more worthwhile for the inmates as human beings are to someday become a reality.

With professional dress that enunciated a Western feel with Texas landmark attire, Skylar's relaxed posture was accented with a mild, more easygoing communication style. Any type of religious orientation was not central to Skylar's general identity, as was his/her political identity. While loyal to the State of Texas, Skylar worked to influence changes that were often not in conjunction with the dominant political power group in the state, perhaps with the exception of the death penalty where both major political parties espouse to pro-death penalty positions. And as ironically as it may have been, with a deep commitment to honest social justice, Skylar was also engaged with work involving capital punishment that had resulted in pro-life outcomes for capital cases where the death penalty was being sought. The outcomes of the cases were in conflict with Skylar's personal political views, which will be elaborated on later in the dissertation.

Like most all participants in this study, Skylar worked well with others who had differing positions regarding capital punishment, though possessed the unique ability as a pro-death penalty proponent to actively engage in post-prison work that actually supported the anti-death penalty camp—crossing and blurring boundaries most people could not bring themselves to do with such controversial topics. With much thought backed by direct experiences coupled with education, Skylar signified the deep perplexities of the prison system and brought to the table how complicated these issues are, particularly for those who work directly with capital punishment.

Micah

Micah was a very studious and approachable. While more modern in terms of fashion other than the static cowboy dress style Texas is popularly known for, suggested Micah was an all-around type of person who was comfortable interacting with people of most any background or from any part of the world. While Micah was not a Native Texan and did not move into the state well into his earlier adult years, admitted to having a special place in his/her heart for the State of Texas that developed overtime with the many decades of residing in the state and now calls Texas “home.”

The lived personal and professional experiences in Texas as related to capital punishment while watching the social changes across time led Micah to gain a better understanding of the more conservative communities, as well as both pro-death and anti-death penalty leaning constituents in Texas and elsewhere. Micah’s role with capital punishment was related to recording the events of the executions without biased and the greatest possible precision possible by not siding with any political position. With that,

even when partaking in the interview for this study, great care was taken by Micah to select the most accurate words and terms to describe specific examples with relation to any unusual events or experiences related to the death penalty. Words that were loaded and had the potential to arouse biased emotional responses one way or the other, such as “botched” since that suggests there was some sort of fault on part of the prison staff or the institution, were entirely avoided and not used.

In line with the scholarly training for his/her profession, Micah was committed to the idea that the recording of events was to be as unbiased as possible so that anybody who reviews the work can draw their own conclusions. Because of the strong commitment to objectivity, Micah was not willing to disclose any information regarding the personal position of the death penalty as it was believed such disclosure might defect or biased the responses provided even for the interview of this study. The personal position is something that Micah seems to have been working on over the years and suggested that perhaps someday it might be publicly disclosed in something as a future book when there is significant time and distance between retirement and the former work.

What was disclosed, however, was the official position of the church Micah was raised in, which was not supportive of capital punishment. Religiously, Micah still remains associated with his/her religious beliefs, though is not heavily active in the church or did not view his/her religiosity as a fundamental component of personal identity as did others who participated in this study.

Bailey

At first sight, Bailey was a person who would never be assumed as somebody who could or would work with capital punishment. Bailey blends into the general public and appears as somebody who might have a family and be most concerned with attending the grandchildren's athletic events and other things related to the pleasures and enjoyments of what the retirement life might look like. But in all reality, Bailey's retirement at the time of this study still entailed working with corrections outside of the TDJC and wished to only go to work and go home—nothing more. When at the prison, Bailey had been involved with, and in charge of, overseeing numerous executions.

While not a native Texan, has lived in Texas since the adolescent years and religiously, converted to a more conservative branch of Christianity. Bailey's viewpoints are unique from many others due being raised in a diverse family and his/her father's profession that required moving all over the world from childhood to young adolescence. These insightful experiences allowed Bailey to draw upon diverse alternative viewpoints when analyzing various situations related to the prison world. Because of those things noted above, Bailey was more sensitive to minority and subordinate issues, but at the same time, had a deep commitment to the "Law of the Land" ideology and upholding and respecting all prison policies, including those related to capital punishment—all of which were collapsed into the bottom line responsibilities of what it meant to be an employee of the state.

Because of Bailey's personal views, some challenges were posed that resulted in a rather complicated balancing act at times which became increasingly trying as s/he

moved up in rank over the years. Bailey's firm commitment to upholding "Law of the Land" ideology demonstrated the necessity of courage when enforcing "equality and protection policies" side of that philosophy, for both inmate and prison employee populations that have been largely ignored, deliberately neglected, or blatantly violated by others who are also representatives of the state within even the higher ranks. Bailey was not naïve or in denial when it came to prison employees abusing their power. For example, part of that territory for Bailey included also directly battling the notorious racist and sexist stereotypes related to the Texas prisons through sanctioning employees who were in violation of such laws and policies. Not always the most popular endeavor to undertake within a total institution that takes great pride in tradition undergirded by a grim history.

While more on the quiet and reserved side human relations, Bailey's backbone is solid with no qualms in enforcing the rules and laws, without prejudice equally to all people, as applicable to both inmate and employee populations. Should laws and policies change or undergo reformation, then that is what Bailey would uphold. When discussing the enforcement of capital punishment, Bailey explained it wouldn't be problematic from a personal standpoint if it were abolished but the largest personal problem with it being in effect was that it was not enforced equally to all people who committed the same crimes in Texas. Bailey explained some counties in Texas cannot even afford to try a capital case and seek the death penalty while the wealthier counties, such as Harris county, have the resources to try capital cases and seek the death penalty so much that the majority of inmates who are executed in Texas are out of the Houston even though

the same exact or similar offenses occur throughout the state. Bailey was a very honest participant in this study who lent valuable insights to the prison world in general, and capital punishment that would have been a bit uncomfortable for others to address at the same levels.

Dana

With a rustic Native Texan appearance and persona accompanied with the famous Texas accent and all, Dana was a very animated which made the interview rather fascinating. Dana was very articulate and had an interesting way of communicating personal viewpoints related to capital punishment. Likely without intention or even personal awareness, Dana's communication style naturally elicited a seemingly inappropriate type of laughter from those listening through the usage of silly noises joined with non-verbal gestures made when attempting to provide detailed explanations related to the death work. Not to make light of the seriousness of the subject matter, somehow Dana's more personal troubles and even some level of pains in working directly with executions seemed to be somewhat acknowledged and/or expressed through this particular communication style. The hints of this type of emotion would be otherwise difficult to detect had the dialogue remained at a superficial level.

With the frank hard-lined pro-death penalty position Dana still maintained at the time of this interview, supported by personal religious ideologies joined with the "Law of the Land" philosophy and deep commitment to the State of Texas as a Native Texan, Dana felt that Texas was a unique part of the world, quite literally, and that capital punishment is something that should still remain in effect. Dana's perceptions regarding

death were somewhat interesting. In conjunction with the religious rationales, metaphors related to euthanizing animals when sick or harmful to others were often used to justify personal reasons for having a favorable view of capital punishment.

Though even with this level of commitment to this perspective, Dana expressed some level of concern about the irreversibility of it all, particularly with the possibility of executing the wrong person. For Dana, however, pondering on those concerns would eat a person alive. Because his/her personal religion supports capital punishment, Dana actively avoided thinking about those possibilities by placing the burden of responsibility for correctness into “the law” and asserting personal faith in the legal system that they got it right during every single step of the process. Should there have been an error somewhere, Dana explained, that should have been caught during the one of the steps along the way as with appeals process for example.

Dana began working at the prison when very young and like others in this study, upon hire had no idea working in the prison would become the lifelong profession. Even further, Dana never imagined upon hire capital punishment would be reinstated in Texas and that death work would someday become a part of the employment role at the prison. Dana’s interview is very valuable to this research in that it lends insight to the pro-death penalty position that exists for some after retiring from the death work.

Sammy

Parallel to other participants in this study, Sammy was religious and subscribed to a religious doctrine that favors the death penalty. While not overtly pro-death penalty, Sammy explained how the religion provides answers to the legitimacy of the state taking

the lives of its citizens. Sammy indicated though, that s/he would not be bothered if the death penalty were abolished in Texas either. Shared with all other participants in this study were concerns related to the irreversibility of the death penalty and the executions of innocent people.

Very soft spoken and with a patient demeanor that conveyed sobering honesty that can only come from past experience, Sammy carried out a very detailed interview in a manner that was rather soothing, which in retrospect for the primary researcher was somewhat eerie given the specific topic of focus. But it was likely that very quality, that ability to calm people and gain trust with tranquility, the prison assigned Sammy to work with unique inmate populations. As we will see later, a significant portion of the preparation process for the executions, and execution process itself, is to get the inmates relaxed so that they will voluntarily cooperate with the whole process. Sammy as an individual was not eerie, in fact quite the opposite. But the ability to bring those partaking in social interaction to feel calm within moments of the first meeting was something more along the lines of perhaps rather impressive.

Clearly Sammy possessed a type of strength that tended to the emotional needs of others in the most suitable ways relative to the varying situations s/he has encountered over the years. Sammy's job description required maintaining the psychological and emotional well-being of the self, while maneuvering within and between the structured roles within the prison, often in complex situations rather unique to total institutional settings. Similar to others in this study, it is difficult to imagine Sammy as a person who would be involved with capital punishment or even the prison world in general. Like the

others, Sammy looked like somebody who would be very much involved with family life and grandchildren making it difficult to reconcile this individual with the former work.

But after talking for a bit, the former prison roles Sammy fulfilled and how it/they fit within the institution began to make sense. Sammy's underlying strength clearly representing an unwavering ability to carry out the laws and more controversial orders within the institution, such as those related to capital punishment, led to little resistance to those who s/he gave orders. This type of control was not gained through a toughness persona or muscle power, but rather through a soothing type of aura that seemed to be capable of calming the most difficult of inmates or inmates who are experiencing their darkest moments. Such examples were with inmates who refused to cooperate with rogue guards or assisting death row inmates to prepare for their own deaths in various ways. But at the same time, Sammy was not naïve with the prison world in any respect and when always on guard when it came to making important discretionary decisions related to all inmates where at times would ease up on policies at times or grant extra privileges when situations allowed.

While deeply committed to enforcing the laws that govern the inmates, of equal concern was with enforcing the laws and policies related to the prison employees who were beneath Sammy's rank. While Sammy engaged in more emotionally difficult and controversial work with the inmates, reports of misconduct from the inmates were taken seriously as Sammy had an understanding of how the conditions of prison leave the prison inmate populations extremely vulnerable to the abuse of power and authority by

correctional officers. Furthermore, Sammy articulated an understanding of how the prison conditions and induced deprivations can result in various negative ailments and psychological issues among the inmate populations. Sammy displayed sensitivity, compassion, wisdom and strength when carrying out the interview lending insightful information on how some are able to use the opposite of physical force to maintain and achieve order and compliance from both prison employee and inmate populations.

Rylee

Strength, faith, and compassion would be those words that best describe Rylee. Reflecting that of a very natural individual in worn in semi-rugged comfortable fitting attire representing the deep love for rural world, rather than high dollar professional business suits that signify elite status in the higher ranks, given the higher level roles Rylee has fulfilled in the prison, captures the aspect of Rylee's character that wishes to make all people of higher, equal, and lower status feel relaxed and valued as individuals while in his/her company. Born and raised in Texas with a strong Protestant background and in a joking manner viewing Texas truly "as its own country," Rylee's distinct genial personality reflects a genuine appreciation for nature and life, and all the possible ironies that might lie in between. Rylee's presence emits nothing short of a person who is genuinely caring and compassionate with regard to both personal and professional responsibilities and interests.

Like those above, Rylee was selected by the institution to manage the death work because of the various characteristics highlighted above. While involved with overseeing numerous executions, Rylee always put his/herself last to ensure all others had pulled

through okay after each and every inmate was put to death. While showing care and concern for the inmate populations throughout the prisons when employed, Rylee displayed particular concern for all prison employees in Texas and beyond, past, present, and future, which have worked with, or work with executions and capital punishment. If anything went wrong with the executions in any way, for Rylee, it was the prison workers who ultimately suffered in ways that were fundamentally unique from the types of suffering that occur with others related to the capital punishment process.

While Rylee had made an effort to avoid sharing a personal perspective on the death penalty, the notion of “the Law of the Land” was important to respect while emphasizing that carrying out executions is not something prison employees should have to be a part of—that if the State of Texas wishes to have capital punishment in place, then that burden of responsibility for carrying them out should be placed elsewhere. Like Kelly above, Rylee felt prisons should not be used to handle death penalty issues and ultimately carry out executions.

Stacey

Stacey was the only participant whose interview was unable to be done in person due to the near arrival of the expiration date of the Certificate of Confidentiality to collect my data for this study. Stacey was referred to me by an earlier participant and due to busy conflicting schedules and distance; we were unable to plan a personal meeting. Given Stacey’s role with the state, it was surprising that there was an agreement to even participate in this dissertation study. Within a very short time-frame, Stacey had completed the consent process through phone, fax, and scan, and completed the

interview by typing in the answers to the research questions and scanning it back before the expiration date.

From what was gathered, Stacey had serious involvement with civil rights issues and a deep commitment for improving society. Issues related to the oppressed were central to Stacey's work. Stacey was involved with politics at the state level, but has somewhat shifted roles since the participation in earlier executions that took place some years back. While having never worked for the Texas Department of Corrections, Stacey's role in the executions involved serving on behalf of the governor when unavailable to make final decision on whether the executions should proceed or if there should be a stay.

While Stacey did not identify with any particular religion or denomination, or indicate any as being central to personal viewpoints and beliefs, it was reported that questions on capital punishment have emerged in the past "based on the fact that Jesus was wrongfully executed for his beliefs." So shared with others in this study, there were concerns about wrongful executions. With that aside, Stacey reported holding a pro-death penalty position but with strong reservations that involve making improvements to the criminal justice system, particularly with regard to indigent defense, not executing the mentally ill, having stronger safeguards to ensure innocent individuals are not executed, making better use of forensic science and so on. For Stacey, capital punishment should only be reserved for the most serious of homicides. Stacey's participation lent insight to how those participating in the execution process beyond the

prison system view their roles and responsibilities, and further, handle their level of involvement with the execution process.

Shared features of the participants

Texas Hospitality

One of the shared features by all participants in this study that stood out the most was their warm welcomes that involved an offer for a beverage at the least, or covering the tab for a meal if the interview was conducted at a restaurant and we had shared a meal together prior to the beginning of the interview. With each, the offers set the primary research off balance just a bit as it was the primary researcher's role to ensure the participants in this study were as comfortable as possible and of course, extend the very hospitality they were had displayed. At times, it seemed as though the interviews were flipped around and it was not clear on who was the one being interviewed, as the hospitality combined with ensuring the primary researcher was comfortable and asking many questions about the researcher and the research, were how each interview was initiated. It was through these relatively short periods of time that significant levels of rapport had been built between the primary researcher and the participants. While there had been dialogues through the telephone that had taken place prior to all meetings, most participants had not met the primary investigator in person until the scheduled interview.

Part of what allowed the participants in this study to feel more relaxed on their end was that they had selected the time and place the interviews would be carried out, which ranged from the comforts of their own living rooms and back porches to public slower paced local diners. The interviews taking place on their terms help provide an

explanation for the very fine hospitality. Had they had traveled to participate in this study at times and destinations of the primary investigator's choosing, then the roles in would have inevitably been reversed and consequently, the participants may have felt less comfortable and relaxed.

Diplomatic Relations and Referral Suggestions

Each person who participated in this study showed the highest level respect and concern for other prison employees. One of greater concerns held by the primary investigator prior to the data collection was that the sample would be biased because of the referral method. For example, it was feared referrals would only be made to others who shared similar viewpoints of capital punishment, all pro-death penalty or all anti-death penalty, for example. This was not the case at all. Participants who were pro-death penalty had referred anti-death penalty respondents and vice versa. Each participant in this study held their own views, but clearly respected the differing viewpoints of others leaving the segregation of prison employees by political orientations and viewpoints as not applicable to this sample. This same phenomenon was reported with the recruitment process where people are not asked or invited to join the execution teams based on their own political or religious orientations as related to the death work. The participants in this study report holding different positions prior to their work with capital punishment.

Inherent Display of Dignity, Respect, and Professionalism...and Recruitment

And lastly, a shared feature of all participants in this study was that they took the value of human life very seriously. That may sound fundamentally contradictory since they were inducing the death of others and it might seem as though members of

execution teams would otherwise lack regard for human life. They explained that when recruiting people to join execution teams they don't just ask anybody to join the teams and especially avoid those who are anxious to work with the executions; rather they seek out employees who showed the highest levels of dignity, respect and professionalism to both the prison employee and inmate populations across long periods of time. At times, it was explained that recruitment has taken place through a highly respected prison employee letting one of the higher officials in charge of the execution teams know that they are available to volunteer if ever needed. But every single participant in this study reported that they had never envisioned working with capital punishment upon hire or even gave it a second thought throughout the many years they had worked in the prison prior to joining the death teams far later in their careers. The invitations to join the execution teams were reported as difficult for most participants in this study. Several participants reported needing some period of time to think it over and returned their decisions later in time. While all participants in this study were at one point recruited to in some way work with executions, regardless of personal positions of the death penalty, it was very important to all to always maintain the highest level of dignity, respect, and professionalism for the inmates undergoing the executions, their families, the victim's families, and all employees involved.

While different techniques or rituals were used by the prison employees prior to executions to help them carry through with their work, all had emphasized the importance of the inmate being treated with the highest level of dignity, respect, and professionalism that could be offered and making their last hours of life as comfortable

as possible. And while, as we will see later that such techniques serve to exploit the functions of power and control that are highly effective in eliciting the cooperation of inmates, those who worked directly with the executions seemed to genuinely express their sentiments as honest. It was this specific feature that seemed to be sought out by those who recruited others to join execution teams; at least for those who participated in this study as it must be remembered that the whole execution process is all done through volunteer work in the sense that nobody gets paid by the state for carrying out executions in Texas. And further, we will see later that it easy to recruit volunteers because of the size of the employee population and some participants even reported there was the problem where they have too many people requesting to volunteer, but selecting the right volunteers to join the teams to carry out the work was far more difficult. And most often those invited to join the execution teams were employees who had never asked or thought about that possibility. And as reported, the choice to work with executions was not available for the higher level administrators as that was built into their job duties.

Apparatus

Writing utensils and notebooks were taken to all interviews. One primary notebook and writing utensil was used for the researcher to record notes during interviews. Each informant was given one note book to use as their journals, two writing utensil, and a pre-paid postage envelope to return the journals back to the researcher in the event they were interested in participating further in that part of the study. The researcher also brought a tape recorder, 2 blank tapes, and packages of new batteries, for the recorded interviews. During the fieldwork, a digital camera and cell phone was used

for the purpose of taking visual snap shot recordings of general observations related to the town and surrounding areas of Huntsville where the executions take place, for the purpose of assisting with analyses related to general social and cultural dynamics in the State of Texas. Consent forms and a master interview question guide were brought to all interviews. And lastly, an information-referral handout that consisted of the contact information for professional mental health and other supportive services was taken to each interview.

Procedures

Upon initial approval from the TAMU IRB to conduct this study, the primary investigator applied for a Certificate of Confidentiality from the NIMH to satisfy the proposed protocol for this study approved by the TAMU IRB. Upon issuance of the Certificate of Confidentiality, the TAMU IRB was notified and the final approval was granted to begin the data collection process for this study. At that point the initial informants were contacted to schedule interviews and review of some archival data provided by one of the participants. The locations, dates, and times of the interviews in this research were determined by each informant. The primary investigator drove out to their desired destinations and conducted the interviews. The purpose of conducting the interviews at the destinations of the participant's preferences was to minimize and prevent any unnecessary burdens related to their participation in this research and to allow the informants the opportunity to be interviewed in the settings where they felt most content and at ease sharing information that was sensitive in nature. The average

time for each interview was approximately 90-minutes with the informed consent process included.

The researcher brought packets to each interview that was assigned a unique number. To uphold the strictest of confidentiality for all informants, the packets were assigned a coded number that matched to the numbers recorded on the tapes used for the interviews and the journals left with them. Each participant was also assigned a gender neutral alias name that would be used to represent them in the manuscript. The consent forms were the only place where personal identifying information was recorded. The assigned numbers and gender neutral alias names were not recorded on the consent forms to minimize the ability of the identities being linked to the coded numbers and assigned aliases. The consent forms, along with all transcribed tapes are held in the care and custody of the principal investigator's supervisor, Dr. William A. McIntosh.

Informed Consent

Once the researcher and participants were situated for the interview to begin, the researcher furnished the participant with a pen and a copy of the consent form that the primary investigator orally reviewed with them. They were allowed time read it over again and ask questions that pertained to this study and their rights as participants before they signed the consent forms. Upon agreement to participate, they were asked to sign two copies of the consent form and the primary investigator followed suit and signed both copies. One signed copy was given to the informant to keep for his or her records and the other was returned to the primary investigator, and then hand delivered in person to Dr. McIntosh at the university.

Journals

As noted above in the research design, the informants were furnished a notebook and 2 pens. They were asked not to put their name or any other identifying information anywhere in the notebook. The blank notebook only had their unique number. The informants were asked to keep a journal that pertains to thoughts and experiences they would like to contribute to this study that did not come up during the interview process, or that may come to their mind later in time. It was also thought to be a way in which they could have elaborated on topics touched on during the interviews that may have been too uncomfortable to discuss or express verbally during the actual time of the interviews. The journals would have served as source of elaboration to the formal interviews, but information they could have recorded on their own time and within their own comfort and privacy.

They were asked, if interested in participating in this phase of the study, to record their own thoughts over a 12-week time period. There were no minimum requirements or limitations on frequency of their written recordings or length of entries, though they were asked to write at least one entry per week if they felt they had something to add. They were informed that in the event they insert entries and later decide they would not like certain thoughts to be available for this project, to remove the page or sections before turning them into the researcher.

Audio Recording

Participants who granted permission to be interviewed with audio equipment on their consent forms were then asked one more time if they still felt comfortable with

their interview being taped. All participants still granted their permission and the researcher set up the recording equipment and informed them the recording can be stopped at any point during the interview if they were to change their mind. Even though the interviews were taped, the researcher still had present a pen and notebook for taking written notes during the interviews. The tapes only have the participants' assigned number written on the outside and no other identifying information. The same is true for the hand written notes in that only their assigned number was written on them. Tapes and written documents have not been, nor will not be duplicated for any reason under any circumstance. The transcripts have the assigned numbers with the gender neutral alias assigned to them included. The participants in this study are referred to their gender neutral aliases when information is used in this dissertation from their interviews.

DELIMITATIONS

Some obstacles, as noted above due to studying a hidden population were related to recruiting the desired number of people to participate for this study. Because only people retired from working with the executions were interviewed, reasons for disqualification or non-participation of some referrals in this study were due to health related issues, past psychological trauma related to working with the executions, some referrals still employed for TDCJ, the inability to locate referrals for interview, and the expiration date to conduct more interviews being reached.

Since this population consisted of people retired from execution work, there were some instances where the participants had made referrals for individuals they had been out of touch for several years but still felt they would still be good candidates to

interview for this study. The inability to locate some of the referrals may have to do with the fact that again, this study is on a hidden population. Some referrals were only able to be located through the contact information being shared directly from the participant making the referral. In other cases, they were able to be found through directory services and so on; so some of these people could not be found, even with the wonders of the internet. Quite possible also, is that some of the referrals may have moved out of state. No interviews took place outside of Texas. And given the possible ages of the referrals, it may be that some may no longer be living.

It was clear in some cases that the participants were a bit reluctant to participate in this study. Part of this was likely due to the inability to build adequate trust and rapport before the interviews took place. And another issue for some, it seemed, was some level of continued loyalty to the prison institution in Texas, which to some degree makes sense since they had spent many years of their life working at the institution. Criticisms of the prison and their former work may have equated to criticisms of the self for some. And in some cases, it appeared as though the participant wished to talk but they have been conditioned not to talk in general about their work, leaving it difficult to fully disclose as much as they would have otherwise like to for the interviews. And it appeared as though some of the participants have been saturated with the debate on the death penalty with little to no conversations ever being had about the topic of this research. Several respondents requested a time to pause and suggested they needed a moment to think about the questions because they had never been asked them before. So

the information provided by several of the participants may have been limited and or censored to varying degrees.

While the level of disclosure may have also been affected by how much the informants have come to terms with their former duties and how much they have discussed it openly with others since they have left those positions, it seemed that participants with higher ranks felt more comfortable in disclosing more controversial information as well as their own personal criticism related to capital punishment. Some of the levels of disclosure, however, were simply related to different personalities. Some of the informants were just more candid in discussing things that are generally perceived as sensitive in nature, while others were more reserved. In some cases, difficulties may have been related to working through feelings of guilt and other negative effects. And lastly, full disclosure from any of the participants may have been difficult to fully achieve as, regardless of the precautions the researcher has taken to uphold the strictest of confidentiality for all participants in this study, some may still fear that others could read through coded and alias identities resulting negative criticism and other undesired social consequences.

CONCLUSION

While the literature has robustly shown gross abuses of power by prison officials taking place in prison settings targeted toward inmate populations along with other unjust behaviors and events, the incredible costs of capital punishment, and focus on the larger debate, through qualitative methodology this research seeks to rather explore how such positions of power and responsibilities are perceived in a retrospective manner by

the retired prison employees themselves. Outside of Reverend Pickett's (2003) *Within These Walls: Memoirs of a Death House Chaplain* and Robert Johnson's (2005) *Death Work: A Study of the Modern Execution Process*, the impact the death penalty has on state employees whose duties involve carrying out the execution has been neglected in scholarly research. And only recently have activist groups began to lend attention to the issue where some brief interviews of executioners and prison guards have been conducted to help educate the public further on issues related to capital punishment (Avila, Harris, and Francescani 2007; McCaffrey 2004), but these fall out of the scope of scholarly inquiry and empirical methodologies that satisfy the social science standards.

Because all accounts related to this topic are potentially important, this research seeks to draw upon any previous empirical studies, information that has been generated from activist groups to accent the ethnographic data collected from the participants in this study. The depths and magnitudes capital punishment has on those who work with executions is largely unknown, thus any existing information on this topic from existing credible sources will be valuable to this study.

Brilliantly, Conquergood (2002) captured the devastating impact the execution of Velma Barfield in 1984 of North Carolina, had on the prison personnel responsible for carrying out her death where he argues that to gain a better understanding of the death penalty, one must go beyond public debate and criminology, "apart from what it pre-eminently is: performance" (p. 342). Through interviewing the prison officials whose duties involved carrying out the execution process, either directly or indirectly, this research will move beyond the political arguments and present the topic from the

standpoints of the former officials. It is hoped that new viewpoints can be heard that will stimulate critical thinking about state sanctioned executions among both opponents and proponents of the death penalty.

In this study, the research procedures involving the data collection process and analysis adhered exactly to the protocol and research design with no deviations. No negative effects were observed during the data collection process or reported thereafter. The overall demeanor of the participants in this study was confident and comfortable leaving the overall data obtained for this study very rich and valuable. Using data that is based on retrospective memories with both time and geographical distance from the events, this research will provide new insights to the execution process through exploring the experiences of state officials of various ranks who were responsible for carrying out executions in Texas and the impact that has had on them.

CHAPTER III

GOFFMAN'S ASYLUMS AND CAPITAL PUNISHMENT IN TEXAS: AN INTRODUCTION TO THE SETTINGS AND ROLES OF PARTICIPANTS IN THIS STUDY

DRAMATURGICAL THEORY

The dramaturgical theory developed by prominent sociologist, Erving Goffman, has been influential in the field of sociology and used to study an array of social actions and performances such as those related to power (Kern 2009; Dennis and Martin 2005), charisma (Gardner and Avolio 1998; Gronbeck 1984) and emotions (Turner and Stets 2006; Scott 2005; Grandey 2003; Brown 2003; Zurcher 1982; Edgley and Turner 1975) racism (Houts-Picca and Feagin 2007), religion (Shaw 2001; Oberg 1987; Harrison 1977) and plenty on punishment (Parrotta and Thompson 2011; Schrifft 2004; Greer 2002; Phelan and Hunt 1998; Schmid and Jones 1991). But little theoretical application has involved a significant number of prison employees who have worked directly with capital punishment (Johnson 2005; Olfosky, Bandura, and Zimbardo 2005). The dramaturgical theory is very appropriate for this study as a means to better understanding the participants through an examination of the social settings in which they worked, the socialization processes of the total institution, and the various complex roles they fulfilled while employed in the prison setting.

The most comprehensive work on total institutions was done by Goffman (1980 [1961]) *Asylums: Essays on the Social Situation of Patients and Other Inmates* where his

Dramaturgical Theory was applied to the study of total institutions. This work focused on the development and internalization of prescribed roles in total institutions and the intricate relationships that operate within and between the staff and patients, organizational power, and ritualized performances. Goffman's work builds upon the symbolic interaction tradition as first established by early scholars William James, John Dewey, Charles Horton Cooley, and George Herber Mead, whom argued for an interpretative and subjective approach to studying social phenomena while building an objective science of human conduct (Denzin 1992) with the premise that social situations have Durkheimian properties (Davis 1997; Chriss 1993; Burns 1992; Williams 1986; Perinbanayagam 1974).

The dramaturgical theory places importance on both calculated and unconscious reflexive social maintenance of the many behaviors and emotions interrelated with the variety of roles people fulfill in virtually all social settings, consequently resulting in diverse subjective interpretations of personal experiences for individuals. That is, many people can share a common social setting or objective reality, but have radically different perspectives and experiences based on the roles they played as related to their different statuses. When applied to this study we can see that while there is an objective reality that exists with capital punishment, all actors within the immediate setting experience very different subjective realities with varying consequences and magnitudes of emotions in response to the same exact performance taking place (Kolber 2009). The death chamber is going to look very different for the condemned prison inmate who is about to meet his or her final fate, than for the weary correction officers who are

preparing to walk the inmate to his or her death, than for the grief stricken loved ones of the inmates family (mother, father, sister, brother, grandparent, spouse) who are there to witness the death of their relative (son, daughter, father, mother, spouse), than for the heart-broken loved ones of the victim who may be there to witness the death with hopes of gaining closure or justice.

This chapter will apply Goffman's dramaturgical theory to the findings of this research. In order to better understand the roles carried out by the participants in this study, it will begin by providing a very general overview of total institutions that leads into the staged settings of the prison with particular focus on the physical location of the death chamber in the Walls Unit in Huntsville, Texas. It will then take a step back and analyze the bureaucratic shifts of total institutions from asylums to prisons and the complicated role dilemma experienced by the workers serving as either "jailors of deviants" or "angels of mercy." It will next address the infrastructural shifts from asylums to prisons and the socialization processes within resulting in role strain and strategies used to help fulfill institutional responsibilities. And lastly, it will examine how the participants managed their coping strategies as related to human emotions and role conflict, closing with ceremonial role reversals on the occasions executions are scheduled to take place.

INTRODUCTION TO THE TOTAL INSTITUTION

Historically the United States has dealt with the socially undesirable (Marquart et al. 1998) or those who deviate too far from relative social norms (Durkheim 1951 [1971]) with a mental health approach (Yanni 2003). Eugenic ideologies generated many

negative labels, such as, “feeble-minded” and “criminal” to endorse and legitimate pseudo-scientific inhumane treatments (Ladd-Taylor 2005; Richmond 1931). Often marketed as facilities designed to “cure” or “correct” individuals under the supervision of professional psychiatric experts in the medical fields, total institutions have been used in the U.S. as a means to house individuals formally labeled as deviants and criminals for indefinite to permanent periods of time. A total institution is defined by Goffman (1980 [1961]) as, “...a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life” (p. xiii).

The range of total institutions in Western society, Goffman explains; tend to share similar characteristics from physical features to the basic ideals and goals of the immediate hierarchical institutionalized social arrangements. However, the types of total institutions vary in terms of missions and overall purpose serving different societal functions. At least on at the most basic level as communicated to societal masses, militaries for example, represent total institutions that are in place to protect nations from internal and external threats. Prisons signify total institutions that are in place to protect society from the inmates housed within while religious monasteries on the other hand, have been known through asylum to protect vulnerable individuals from society. While the structures of total institutions are very comparable, their functions vary between types.

In order for society to recognize and privilege total institutions as autonomous facilities legitimately segregated from the greater population and largely hidden from the

public eye, Goffman maintains they must hold an elevated ranked status from other establishments assumed as ordinary. They must be revered symbolically as sacred or elite by the surrounding society. Because of the power socially constructed symbolization has on creating and maintaining shared understandings of social phenomena and physical surroundings, most anybody who encounters total institutions are reminded through the physical features of the institutions, things as locked doors, high walls, barbed wire, cliffs, water, and forests, that that they have come into a vicinity of establishments wholly segregated from society with the intent to keep the patients and inmates completely isolated from the contaminants of the larger society.

FRONT-STAGE AND BACKSTAGE SETTINGS

Total institutions, as with other social spaces, are composed of different staged settings. Goffman's dramaturgical theory presents people as actors performing on stages with different settings. People act out different roles as they shift from one staged setting to the next. Goffman (1959) defines a setting as:

...involving furniture, décor, physical layout, and other background items which supply the scenery and stage props for the spate of human action played out before, within, or upon it. A setting tends to stay put, geographically speaking, so that those who would use a particular setting as part of their performance cannot begin their act until they brought themselves to the appropriate place and must terminate their performance when they leave (p. 22).

The cultural realities we experience in our everyday lives and immediate surroundings are generated through social constructs that provide symbolic meanings continuously reproduced through people often unreflectively fulfilling variations of many roles that often serve to maintain the status quo in the larger society. Individuals who fail to measure up to the ideals ascribed with the roles relative to their cultural surroundings, be it deliberate or unintended, are stigmatized and sanctioned to varying degrees or socially excluded to varying degrees (Goffman 1961).

In understanding the shifts in settings and between sceneries, it is also important to understand role transformation, role conflict, and impression management. Role transformation occurs when people shift from subjective invisible roles to subjective visible as they navigate between different staged settings (Tseelon 1992). In one setting s/he may be a parent, in the next a customer, student, or employee, in another a son or daughter, sibling, aunt, or uncle. Sometimes individuals simultaneously play out different roles when in a single setting, as with family reunions or other similar events.

Role conflict on the other hand, is a collision of incompatible roles uniting in a particular setting. This occurs when various roles that are typically acted out in different settings become entangled in the same setting and the actor experiences difficulty in fulfilling the prescribed role expected of the immediate setting. The participants in this study experienced role conflict as their primary jobs as prison employees were to watch over the inmates and keep them healthy and safe from harm within the total institution. Yet working with executions required they put those whom they have had the duty to protect to death.

Impression management is another important concept for this study that refers to the regulation of role presentations that take place in different settings. For example, a member of the execution team might be a big football fan and act a certain way on football Sundays when in the company of friends and family than s/he would act while working in the prison, and even more so, with the executions. Prison inmates and others in the institution are not very likely to encounter the football Sunday role of the workers because of the constant maintenance associated with the impression management involved with presenting the role of the prison employee to all others within the total institution. While role development and maintenance will be reviewed later in the chapter, the point here is bring attention to the impressive amounts of conscious and unconscious social behaviors, interactions, and adjustments that are reflexively and harmoniously played out in alternating scenes and settings of everyday life by all actors in shared settings.

Front-stage Settings

Upon entrance of a total institution, it is unmistakable to visitors that they are outsiders of the facility through the segregated physical architecture limiting their presence to smaller rooms that block any visibility of the backstage settings. Solid walls, windows and locked doors clearly divide the members of the total institution from the outsiders. Uniforms and other symbolic status signifiers tailored specifically for the institution worn by the different members within, create further cognitive divisions with the outsiders.

During the initial entrance, visitors are limited to the front-stage setting(s) only. Total institutions may have various stage props, such as vending machines, popular magazines or institutional newsletters boasting of their successes, and televisions in the waiting area, that are not at all reflective of the backstage settings. If the visitors are granted permission to go beyond the front-stage setting of the institution, by routine they must first have their identities and persons checked leaving any physical objects and personal items with an official or on a secured locked area to prevent contraband from being transported to the patient/inmates side of the institution. When escorted through the facility, the strategically designated pathways prevent any possibilities for deliberate or accidental deviations that might lead to closed off sections of the backstage settings of the institution. The narrow pathways are often highly secured so that only administrative or other related areas can be seen until the destination; visiting areas for example, are reached.

Outsiders are rarely permitted from entering into the backstage settings of the facilities unless unique situations are in place where tours might be granted to the public at designated times or the outsider represents some form of governmental entity. When insiders have visitors, they are always brought from the deeply layered backstage to the mediated front-stage spaces where even then, they might be separated by concrete walls, window panes, and telephones to communicate through. The physical spaces that allow for the insiders and outsiders to physically unite are areas within the institution that simultaneously block visibility for the insiders to see the front-stage settings and for the outsiders to see the backstage settings.

Backstage Settings

Backstage settings, by contrast, are the areas where members of the total institutions carry out the functions of their everyday lives relative to their roles operating within the facilities. This includes sleeping and eating quarters, showers, recreation, and any specialized therapy or other areas that are a part of the inner workings of the total institution. Inmates and patients have limited mobility in the backstage settings with very rigid routinized schedules and they are often met with bars or heavy cell doors reminding them of their status as a patient or inmate within the institution. Similar to visitors blocked from having any view of the backstage settings, patients and inmates have limited mobility in the backstage where they too are blocked from entrance into spaces reserved for the employees, administrators and other officials unless otherwise granted through privileged status and so forth. For example, in Texas the death chamber is cleaned on a regular basis by non-death row inmates and the lifeless bodies of the executed inmates, if not claimed by anyone are buried by non-death row inmates under the supervision of armed correction officers. But death row inmates never see the death chamber until the time of their executions and certainly have no role in burying inmates who underwent executions. Generally the spaces used to carry out punishments, invasive therapies or procedures are other backstage settings blocked or limited to the various segregated populations within the institutions.

In the backstage settings, the employees have the greatest mobility that allows them to maneuver between the front-stage and backstage settings of the institutions. Those higher in rank have greater mobility and access than employees in the lower-

ranks. After having worked dozens of executions and retiring from the death work, Robin captures what it was like to have familiarity with the different levels of settings that are often undetected by others who represent outsiders to the institution:

I would not step foot in back in that back, back part, the only, see that to walk back there you have to go through the visitation area...so that, even that part of that right there was still, I knew what was beyond that door.

People, regardless of what roles they may be acting out, even those that call for them to separate their emotions from duties often demanded by total institutions, have human elements that cause them to still naturally respond their settings relative to their own powers and abilities. Because people have diverse dispositions and varying emotional thresholds with regard to the same shared stimuli and settings, what may be problematic for some may not be perceived in the same way for others. Again, different roles and ranks inherently affect the first-hand experiences and interpretations of the various settings within the total institutions.

When experiencing aversions within different environments and settings, consciously and unconsciously, individuals develop personal strategies to avoid those things that trigger negative feelings and emotions. As related to this research, inducing the death of others, regardless of how socially rejected the inmates may be, was not reported to be a positive stimuli for any of the participants in this study. When addressing the request to work with executions on a highly frequent basis and finding strategies to avoid the work, Robin explains:

....I mean they went ahead and they, they, none of them, and I say this right here, none of them would, none of them stayed and worked at the Walls Unit any more, I mean they did, they stayed for a little while but they found different avenues to go after, like I said prior, I think that's where I, I didn't adventure to get away from it.

Important in thinking about people acting out roles in various settings, it's important to remember that statuses can change also making "outsiders" provisional "insiders" with limited privileges depending on their relationships to the situations or events taking place. Prison employees who agree to work on the execution teams and visitors are provisional insiders to varying degrees when they are present at executions. The death house at the Walls Unit provides a good visual description where the chamber is partitioned into segregated sections each with controlled levels of visibility and institutional access designated for the different people involved with the execution process as shown in Figure 1 below:



Figure 1: The inside of the death chamber in the Walls Unit of the Texas Department of Criminal Justice (Brook 2012).

PEELING BACK THE LAYERS

Social settings can be riddled with layers of different social and physical staged settings from the most basic of there being a general front-stage and backstage. More complex settings may consist of several layers of stages. The front-stage settings are defined as social spaces that most anybody can freely enter into and exit when desired. Consider parks, convenience stores, or family restaurants where people can enter and exit without having any type of credentials or prescribed roles. Front-staged settings however are those places where individuals tend to carry out their most formal and reserved roles where they display appropriate social behaviors, manners, and so on.

Somewhere present, even if not visible to the public eye, in most front-staged settings are backstage settings that are blocked off from public access, such as garages to store maintenance and landscaping equipment, break rooms, offices for management, kitchens, and so forth depending on the public space. Such divisions of these social spaces are often upheld through the local customs and general cooperation of the public. Symbolic indicators, such as signs, doors, locked doors, counters that divide front spaces from the back space areas, and so on, alert both suspecting and unsuspecting individuals acting in the front-stage that they have encountered a backstage area—typically spaces not open for public entry. These boundaries are signified to individuals in numerous ways. Should the front-stage actor enter into the backstage uninvited or without permission, he or she may be ordered back out to the front-stage or sanctioned for trespassing, etc.

Total institutions, as with prisons, consist of several formal layers, with each having added insight, new angles, and greater knowledge of the inner workings of the complete establishment. With general front-stages as highlighted above, each backstage has formalities, prerequisites, and credentials individuals must satisfy before entrance is allowed. Below, with a deductive approach working from outward beginning with the most basic outward layer of the backstage setting to the most inner confidential and secured deeper layer, we will examine three layers of the backstage settings as associated with the Walls Unit. There may be more, but for the purpose of this study, three will be of focus since the participants in this study only represented the three identified levels.

First Layer of the Backstage Setting

Layer one refers to the most basic level of the backstage setting where outsiders who become provisional insiders can temporarily enter within under proper supervision. This layer is reserved for witnesses to executions and others, such as students from the public who tour the death house. Access is not granted to anybody who wishes to enter and wander around this area of the prison and the given time people can enter is dependent on the calendar of events. For example, tours will not be prearranged when an execution is underway and witnesses to executions will not be present when tours are taking place.

When executions are taking place, any witnesses present must first meet with officials who educate them about the formalities and the process before being taken back to the execution chamber. Two small rooms in the chamber sealed off with a dividing wall are reserved for the witnesses. One room is reserved for the victim's loved ones and the other for the inmate's loved ones but at no point in time can the witnesses from either side see each other. However, during emotional moments, one side may hear the cries and weeping from the other side. It is important to remember witnesses are "outsiders" to the everyday operations of the institution and only have temporary provisional status as an "insider" when present for the execution and thus, consequently have little to no visibility to other deeper level backstage settings. The viewpoint of the execution chamber for the witnesses is shown in Figure 2 below:



Figure 2: A viewing room in the execution chamber for the witnesses (Langfold 2014).

In some cases, when non-members of the total institutions are granted permission to go back further into the facility beyond the general front-stage level, as with the Walls Unit, they have to adhere to dress codes to enter into the building. In the case with the executions, these stipulations were enforced by the correctional workers who oversaw the executions since death was involved. In working with preparing witnesses to enter into the prison Cameron explains:

...speaking to an occasion, one the family had come and the lady was inappropriately dressed and her sister was with her so she put on her sister's clothes...and then another time it was hot, hot like today, and they drove up from uh, uh [Name of Town] and we told them this and they got

dressed like they normally do and it was hot you know to drive from [Name of Town] and he had to go to [Name of Store] to buy him some new clothes if he wanted to see. It's not a bad thing, but if you wanna go in, because I'll meet you over here across the street in this building and it's a building you know open to the public then you look fine, but if you figuring on being a witness and you going to walk across there and go into the secured [building] there is a dress code...and I can't just go over there and you say you think I'm bad and the warden says to you, "Oh heck no, I don't care who you are, but you will not" you know, trying to, you know you become the one, and most people are really willing and sometimes they say, "I forgot I'm so sorry" and "it's okay that's all" but let's think about it, you got shoes in the car? "Yeah"....

So while the outside guests are temporarily allowed in these rooms to witness the executions, they must to agree to follow the rules and policies stipulated by the institution and are still very limited in where they may go and what they can see. It's especially important when witnesses from both the inmate and victim's families are present to ensure there is no possibility whatsoever they may come into contact with one another when entering and exiting the secured areas.

While the roles of the outsiders are minimally altered into the temporary role as an insider and granted access to enter into the first layer of the backstage setting as witnesses, they are blocked access into the deeper layered areas where, for example, the holding cell area or the inner execution chamber area sit. The only visibility of the

process for the witnesses is the through the windows that separate the central room of the death chamber and witness booths as described by Micah:

Just kind of to set the stage so to speak, when I get into the, to the death chamber, the inmate is already hooked up, they already have needles put in, so when we walk in there, uh, they are behind uh uh, they're lying on the gurney and uh the needle's already in their arms. They can turn their heads, look at us, we're looking through a window that has bar, jail bars, double, double pane of windows with jail bars in between and there's a microphone over his, or her, face so they can, they can hear what they say.

So what the witnesses are allowed to see is controlled with censorship with the preparation process blocked from their view. Any type of struggle by the inmate or difficulties in inserting the needles that may have occurred, for example, are blocked from view in this backstage layer. This backstage layer; however, temporarily transforms into part of the main stage when the curtains are open until closed.

The way the execution chamber sits today reflects staging modifications that have taken place since the death penalty was reinstated in Texas in 1982. Micah goes on to describe the death chamber prior to the changes:

...the very first time I did it in, and for the next [time frame] I guess, this is what it looked like. We walked through a door over here and stood right here and there was, there was a rail here, and uh, there was no glass, so you'd walk in and the inmate, you could tell them who you were or

you could have some sort of exchange with the inmate. If if so, we were able to say something to him, and uh, there was an execution where we're standing up against the rail here and the needle would come out of a hole in the wall here, and it would go to one arm and another around the other arm here. We were standing here and the needle pops out. Okay, and the solution starts squirting, and I'm standing right here. So you're, I'm trying to, I'm [describing the job related to the execution work] and this thing starts squirting, and I remember thinking, "well, should I get out of the way. What if it splatters on me. You know, what's what's gonna happen" so, the chaplain, there's a chaplain that stands over here and there's a warden that stands over here, and the chaplain will normally put his arm or hand and rest it on the inmates leg, for comfort, and uh, so I don't remember which one did it, but one of them grabbed the drapes, that opened and closed, they closed the drapes and re-inserted the needle, opened the drapes up and we watched the remainder of the execution. Well, the, from the punishment that happened after this time, they installed Plexiglas on each side of these jail bars that go here, so you no longer have to worry about the solution if it happened to come out and it did come out one more time. It's come out twice, uh, but at least you didn't have to worry whether it splattered on you okay.

During the time described above, only the inmate's family and friends were allowed to serve as witnesses and the witness area was one solid space. Sometime after the

Plexiglas was put up the laws had changed so that the victim's families could also witness executions, the death chamber underwent further modification as described by Micah:

...so then at some point...the victim's relatives were allowed in the chamber, so, the idea was not to allow family members of the inmates who were already in here to have any sort of contact with the family members of the victims. So you have two rooms now. This side was for the uh inmate, friends, family, whatever, witnesses. This side, never see one another, they can hear, so if something gets real emotional and it's almost always on this side (pointing to the inmates family side), if you're standing here you know something's going on, you just can't see it. But the inmate can see what's going on here because he's got a line of site, but we don't...there's a prison administrator who is back here in charge of the whole, the whole operation (pointing to the area where the executioners sit). He will poke his head through this door and tell the warden, "You may proceed." And so the warden leans over to the inmate and asks, "Do you have any last, do you have anything to say, do you have any last comments, do you have a last statement to make?" however he phrases it, the inmate may choose to talk or not. There's a microphone dangling over his, over his face here, there's a speaker up on the wall that hangs, you can see that right here, so when he's talking you can hear...uhm so in any event, 3 minutes, he's done talking so we stand

there for 5 minutes and wait, and then a physician, the warden turned and opened this door, the physician whose standing out here, walks in, does an examination, checks his heart, looks at his eyes with a light, uh, his lungs, uh looks at the clock on the wall here, a clock over there, and it's 6:19, the warden says 6:19 and we file out.

In the controlled setting, the witnesses in each booth are escorted out separately by a prison official to carry on the assurance that there is no contact between the victim and inmates families and so they are not able to watch the inner workings of the deeper layered backstage where the lifeless body of the inmate is unstrapped by the correctional staff and removed from the gurney, etc. At no point in time do the witnesses see the correctional staff that represents the tie down team who straps the inmate down to the gurney for their execution. The only people they see are the warden, chaplain, and briefly the administrator who gives the warden the order to proceed.

Second Layer of Backstage Setting

This layer of the backstage setting included the scenery of the jail bars of the holding cells where the condemned prisoner awaits his or her execution time and the main door that opens the central room of the execution chamber and so forth. On the day of the execution, there are more people than normal in this area due to the preparation process involved. Some of the workers were correctional officers, communication officials representing the prison for major news and events, chaplains, and so on. But no family or personal friends, including those granted access as witnesses, are allowed in this area, which is visibly blocked from the witness booths in the chamber. And unlike

the witness areas, as explained by Cameron where they might be offered water or some other beverage if on hand or access to vending machines, this second tier backstage area as explained by Rylee, was accommodated with a table that had light snacks and beverages for the employees working with the executions even though appetites were not present or faint for many. Several participants in this study mentioned they lacked appetites on the day of, and after the executions were carried out.

While no formal dress code has ever been established for execution teams by the state since it is considered volunteer work, as justified with the absence of monetary pay from the state to do this work, members of the execution teams established their own standards and expectations. All people involved with or present for the execution process are expected to dress in their professional clothes to uphold their highest levels of respect and integrity for the entire process and all involved. The dress code expectation is equally held for any witnesses who wish to view the execution.

Controlled exposure of the execution team members in the second layer

As all people involved with the execution process are dressed up to play their roles, the inmate is also prepared with a shower and while in the holding cell the correction officials walk them through the entire process and what they are expected to do when the time to relocate them to the execution chamber arrives. While preparing the inmate for the execution and preparing for the process as an employee, Dana recalls:

...it wasn't a complex thing I mean you're basically having a person if they will, of their own volition go get on that gurney, which is literally how it goes, and the vast majority of 'em did just that, just walked in

there and popped up on the gurney and then they would lie down, and [prison employees] would put straps on ‘em, retain ‘em you know...without any problem, exceptions to that, three or four or five different occasions, but, it’s a pretty simple process. I mean it’s obvious when you go in the death house itself or in the room, the chamber, what you’re gonna do. You got the table there with all pieces and and you’re gonna have that person repose in a crucifixion type of stance if you will.

The central room in the execution chamber is an interesting area as correction officers and other prison officials, such as the warden, prison chaplain, prison communication officials and the physician who confirms the inmate’s death, for example, are allowed into the execution chamber and holding cell area but not the room where the executioner and other administrators reside. So the maneuvering of the different people involved with the execution process in this second layer is also limited and tightly controlled. This area also involves the presence of, and interaction with, the death row inmate.

While involved with the third layer of the backstage that will be discussed soon, aside from the executioners the higher level prison administrators who are involved with the deeper backstage layer are also maneuvering around in this second layer area prior to the executions. In recollection of this feature of second layered area Robin explains:

There’s supposed to be two of them (executioners) back there. I know there’s two of them back there. You don’t, you’re not supposed to ever see them, the one’s that actually do the insertion of the drugs...There’s always a 5 man tie down team...I mean even the way [correction officers]

walked in, there was always 2, [officer] was always the one standing right there next to the door, and the guy that was standing right here next to [officer], he would always unlock the door...Okay, so [officer] was always the one that said "follow me" (to the inmate). So when he follow [officer] into the death house, then [officer] tell him to jump up on the gurney cause then [officer] had to make around the foot of the gurney so [officer] could take care of all his left legs all the way up his mid-section. The guy standin right there behind [officer] would take care of his right, and the guy behind him would take care of his right and his shoulder, and the guy that unlocked it would take care of his shoulder strap right there. You know we had, had that (deep sigh) and the 5th one, he would stand there just in case the inmate would try to get up, his responsibility was just to hold his head down, cause you know nobody can get, can get up from a lying position if you got a pressure point or you just put somebody's hand on their forehead and try to get up, you know, it's kinda hard to do.

Dana describes further:

...The warden would come in and tell them it's time and open the cell door and they'd step out, you know and kind do a quadrant around the person, just walk him or her into the death room itself, the chamber...the execution chamber itself where the gurney is, of course there's a room behind that with a big glass and it's a see through one way mirror and the

person doin, the actual execution is behind that uh mirror. Uhm, that door between where the cells are and where the gurney is, one we exited the room when the person was tied down and ready to be executed. We can see through the door, we didn't always close it all the way, plus there was a window, like any prison solid door...okay so we could see it, uh, plus could hear it, the speaker that the warden and the visitors, or not the visitors but the witnesses, they're hearin and we're hearin all that too where we are. We're not from here to the edge of that cabinet from where it's takin place. So you know it's not a big large area, but after, speakin for myself, after the first two or three executions why would I look? You know, I did afterward but without frequency most of times just wait till, you know okay it's time for us to go back in...uh nobody peed their britches or anything of that nature it was all (made a snore noise) go to sleep and started deep breathin and directly (last exhale with a snore noise) and that's it, that skin immediate starts turnin greyish or bluish or whatever and (type of employees) unstrapped him and put him on the gurney, they were already discolored in terms of the way you and I look in terms of skin tone you know. So the the the drugs obviously, I mean it's silly of me to say, obviously shut the body down....

During this time the second layer of the backstage is blocked off from the remaining part of the prison institution. According to the participants whose primary involvement with the execution process was in this general area, it was emotionally and physically

exhausting. And unlike the first and third layers, this was the area where the grunt work filled with emotional labor as related to working directly with the person undergoing the execution was done—similar with roles of medical assistants to physicians or paralegals to attorneys, who must do all the prep and clean-up work for the physician or lawyer whose involvement with their settings is very focused and limited in affect. The employees in this second layer of the backstage, as reported by the participants in this study, experience high levels of stress and are often left with detailed memories that in some way involve most all of the human senses from visual, olfactory, audio, tactile, and taste. This was especially the case when the employees had meaningful interactions, such as sharing meals or beverages with the inmates prior to their executions.

Third Layer of the Backstage Setting

While the Walls Unit is a maximum security prison unit and each backstage tier has mobility boundaries for all who enter, as we saw above in the first and second layered backstage settings have limitations on visibility and access to the execution process, we will see with this third layer of the backstage that area that is blocked to all others but the executioners and some higher level administrators. They are stationed in the room that has the one-way mirror looking into the chamber that nobody outside the room can see in. This small area accommodates approximately four individuals, as explained by Francis, where two of the people inside are the two executioners and the others are higher level administrators. The entire execution process is coordinated and overseen by the prison administrators who are involved in this third layer of the backstage (See Figure 3 below):



Figure 3: The room in the execution chamber, behind the two-way mirror, where the executioners and prisoner administrators oversee the execution process (Hawkins 2012).

Francis explains:

...we'd uh convoy uhm the condemned from uh the [name of prison and name of town] to the execution chamber which was located at the Walls Unit in Huntsville, Texas...once we had him secured in a cell, a holding cell there in the execution chamber uh that would conclude my responsibility up to that point. I would return uh to the facility at approximately [hour of day] uh by which we would prepare uh the offender and the execution team for the process of uh execution. Uhm we would uh at [hour of day] which was the designated time in the State of Texas uh for the execution to be carried out uh we would uh receive two phone calls uhm at [time of day], one from the governor's office uh and

the other one from the Attorney General's Office. Those two calls basically told us whether or not there were any uh outgoing or working appeals uh that would cause a delay in the execution or whether or not we had a clear light to move forward...when we would move forward uh uh the warden of the institution and his strap down team uh would uh got, to the holding cell, uhm place the offender in the restraints and remove him from the holding cell and export him to the actual chamber itself, which was a matter of just a few feet. There was a solid steel door that separated the holding cells uh and the actual execution chamber itself, so it wasn't a great distance to take the condemned to the chamber. Uh the condemned would then uh be placed on the gurney, strapped down, uh a MP would come in uh and st two IV's, uhm once the IV's had been set then we would give instructions uh to uh, to uh the administrative personnel that uh would be awaiting across the street from the Walls Unit. There was two sets of visitors that would be allowed to uh view the execution, they would uh be the families of the condemned and there would be family of the victim. Uh each group would be escorted over separately where they would not have any contact with each other, uhm this is all after the condemned had been strapped in and IV set so that was normally about a 5 or 6 minute wait uh while we awaited for uh the two family groups, and two sets of witnesses to come in. Uh, it would be uhm my responsibility to uh supervise this entire process. Uh once the two family members, the

two groups of families were in place uh, then each holding area would have closed curtains uh where they could not see the condemned and had already been strapped in. Once everybody was in place uh secured in their designated areas the curtains were pulled where the witnesses would then uh be able to see the condemned strapped into the gurney. Uh at that point uh the warden would be instructed by [official] that he may proceed uh, he at that point in time, now he and the chaplain would be the only one whose actually in the chamber with the condemned. We would be, myself and a couple of other dignitaries along with the EMT uh a couple of other volunteer employees that would actually be responsible for pushing the uh three chemical compound uh uh through, it would be behind a one way glass, uh we could see out but anybody looking at the that glass, the mirror, uh could not see inside the chamber where we were but we could see outside where the chaplain, the condemned, and the warden would be standing, uh once uh, everything was in place we would give the warden the green light to move forward. The warden would then ask the condemned whether or not he would have any last statements and in most cases the condemned would have something to say, very few occasions in my [number] of years during this process there were uh a few occasions where the condemned had no, no comment. Uh after the condemned uh uh said what he was going to say uh then the warden would give the signal uhm uh normally uh the signal that the warden came up with in

most cases uh maybe going to uh, if he wore glasses going to the glasses or something to that effect that would indicate to those of us that was in the back where the actual chemical compounds were to start the process. Uh the compound consisted of three drugs, uh drugs that I have written down but I don't, I couldn't pronounce them if I wanted to, but uh, uh they would uh push the three drugs in one after another uhm and uh, after pushing on the three drugs there would be a pause, a silence, uhm a couple of minutes would go by, we would have a doctor on call inside the chamber itself, uh unseen by any visitors or whatever. But after uh a couple of minutes the doctor would be asked to come in by the warden, the doctor would examine the condemned uhm and at that point in time uh declare clinically the deceased, give a time, all of that is being recorded over a microphone right over the uh condemned's uh head and that's being recorded in the warden's office. Uhm everything's that's going on uh after the doctor declares the condemned deceased and give the time, uh then look to groups that we had exported over, the family of the condemned and the family of the fam, the family of the victim, is exported out back over to administration after we clear the building we would normally have (member of funeral home) already on site ready to take charge the body uhm so that we could get the building cleared and we would ask the (people handling the body) uh prepare the body for transport to uh the local funeral home there in Huntsville, Texas...that's

kind of the gist from beginning to the end...I did not come out of that little deal until after the the, the undertaker had come in, placed him on that gurney and cover his body, with a sheet or what have you.

Next to the entry door is the slot in the wall where the catheters connected to the inmate's body, one in each arm (one for the saline solution which begins several minutes before the other chemicals are administered and the other, for the chemicals used to put the prisoner to death) run through the separation wall back to the executioners sitting in this room.

In front of the one-way mirror was a table used by the executioners to prepare the chemicals for the lethal injection. For each execution there were three separate vials for each chemical used for the lethal injection process in Texas at the time the participants in this study worked with executions. The first was a barbiturate, sodium pentothal, used to render the inmate unconscious; the second, pancuronium bromide, paralyzes the skeletal muscles and collapses the lungs and the third, potassium chloride stops the heart (Death Penalty Information Center 2013; Groner 2008). In more explicit detail Francis clarifies questions on whether the executioners knew who they were and on the process:

They knew. Uhm, both of them would prepare the drugs, there was uh, 3 vials, okay the IV's already been set, there was a drip uh IV bag hanging, uh and uh, the saline was uh going into uh, uh the veins already to keep the vein open, uh once the signal was given it was just a matter of taking the tube uh and placing the vial, uh it's like a big syringe is what it is, place it in there and push, take that one out, put the other one in and push,

take that one out, put the third one in and push, take that one out and put everything on the table and everybody steps back and you could hear a mouse, it was just that quiet. And you stayed while until the warden watched his, watch and so they, time has elapsed enough, he goes and brings in the physician who examines the body and declares ‘em dead.

Contrary to myths that executioners do not know who they are with execution methods that involve two (or more) people pulling levers, pushing buttons, or firing rifles in unison so none of the people involved knows who inflicted the fatal deed, executioners in Texas know who they are. Reverend Pickett (2003) recalls during the earlier years, there was one executioner but nobody, not even the warden knew who that person was. Two executioners involved with the death penalty process reflect one of the major changes that have taken place with the bureaucratic rise of the prison industry.

Since the prison has undergone reform from TDC to TDCJ, the execution process come to include more prison officials directly involved with the executioners limiting their confidentiality. They are no longer unknown to all prison employees. The identities of the executioners in most cases were limited to the higher level administration that operated above the members of the tie-down team. In some cases however, some officers knew past executioners, as Robin recalled, about the physical effects suffered by particular members of the execution teams. In one particular case the individual diabetes and spiraled out of control after working with executions to where his limbs had to be amputated. Robin recalled another case where the individual had an emotional breakdown and was sent to a mental institution out of state. While the executioners have

the least amount of direct hands on interaction with the inmate undergoing the execution while alive, certainly their involvement with the execution process affects them in various ways, which we will revisit later (EJUSA 2013; Avila 2007; Osofsky and Osofsky 2002).

PURPOSE OF THE TOTAL INSTITUTION

As we saw above with attention to visitors and employees, total institutions have both front and backstage settings sometimes with several layers and dimensions, each serving different purposes with clear boundaries and access. By contrast, the inmates whose entire time is spent in the backstage settings of the prison have very different perspectives and report very different realities (ACLU 2012; Harrison and Tamoy 2010). Through strict segregation, total institutions socially sterilize the patients and inmates from the outside world so they can be re-molded into objects that reflect the missions and purposes of the total institutions. This involves a process where those who are admitted into total institutions internalize imposed labels so their interpretations of “self” are transformed into subordinate appendages of the larger establishment dependent on the institution.

The concept of “social sterilization” is held simultaneously by those operating inside total institutions and mainstream society, though with quite different interpretations that interestingly reinforces each another. Throughout history societies have assigned people to different social categories based on various conceptions of deviants and criminals relative to the continuously evolving changes in mores and values (Durkheim 1897, 1912). Segregating those deemed undesirable or dangerous away from

society and into total institution type settings is not new. While the practice of institutionalizing people to either shield them from society or protect society from them dates centuries back, the “institutionalization” of people based on “scientific” or “legal” knowledge and expertise rather than religious beliefs and authority, is fairly new. Modern societies implement formal policies based on the contemporary counsel of experts (Foucault 1995), trends that go back to the early medical and mental health scenes, later shifting to the correctional, most notably with the lethal injection execution process (Groner 2008). These patterns are continuous through the larger society unreflectively supporting long held practices of segregation under morphing guises that proclaim progressive, enlightened ideologies backed by privileged expertise.

TOTAL INSTITUTIONAL BUREAUCRATIC SHIFT: FROM ASYLUMS TO PRISONS

As highlighted above, with parallel outcomes, a notable contrast between the “old” and “new” total institutions is with the paradigm shift between religious to scientific formal authority (Lewis and Hammer 2010; Harcourt 2006). Historically, in western society religion played a dominant role in providing definitions and explanations for people who engaged in acts of deviance, suffered from physical and/or psychological ailments, or were in some way otherwise stigmatized (see the *Malleus Maleficarum* or “The Hammer of Witches”). Throughout the middle-ages and beyond, deviants were believed to be plagued by evil spirits and it was widely believed that religious remedies and supervision were the proper way to regulate such populations (Weber 1922; Durkheim 1912). As time passed, the rise of “enlightenment” in the name of science

alongside the declaration of separation of church and state would come to replace the older forms of religious authority and practices. These new ideologies replaced the earlier peculiar and superstitious practices with disturbing pseudo-scientific practices and replaced the old Montessori's with asylums.

On the history of the evolution of total institutions with relation to the birth of asylums Barber (2002) explains:

Asylum psychiatry was born around the beginning of the 19th century with the founding of a number of institutions for the mentally ill, such as Maryland's Spring Grove State Hospital. By 1904 there were 150,000 patients in U.S. psychiatric hospitals, and by mid-century the asylum population peaked at more than a million. Asylum Psychiatry followed two tracks- one perfectly well intentioned and generally benign, the other horrific. The initial impetus was to provide retreats, often in sylvan settings, where, in the absence of any actual evidence-based treatments, patients could at least be left alone in a tranquil setting. But there was an equally long tradition in the asylums of providing (or imposing) the most wretched treatments imaginable. What Daniel Defoe wrote in 1728 has been echoed many times since: "If they are not mad when they go to these cursed houses, they are soon made so by barbarous usage they there suffer. ... Is it not enough to make anyone mad to be suddenly clap'd up, stripp'd, whipp'd, ill fed and worse..." (p. 34).

As time continued to pass, the dominant total institutional structures would shift from state run asylums and prisons. The institutional roles of these governors and keepers have consistently in worked with the most socially stigmatized human populations across time, but these roles only transformed in titles and philosophies. Total institutions have shifted from revered priests and nuns to secular physicians and nurses, to wardens and guards who are trained to keep their own religious orientations largely detached from their professions. While certainly the different forms of total institutions (religious, psychiatric, penal) continue to co-exist simultaneously, as argued above, the major societal power shifts occur when one dominant marketed model structurally replaces another at the macro-level. When these societal shifts occur, so do the dominant social control paradigms society general society operates out of (from religious to enlightenment/psychiatric to punitive).

Rhetoric, Role Descriptions, and Specialized Interpretations

Echoed by other studies, the rhetoric communicated by the participants in this study routinely placed great emphasis on the importance of the prison employees working with the executions displaying their highest levels of “professionalism” (Johnson 2005; Osofsky and Osofsky 2002). While the participants considered themselves elite experts in their field, the concept of “professionalism” here is different from “expertise.” As related to capital punishment the prison employees develop their “expertise” through the hands on training that comes from working directly with the execution process while “professionalism” refers to the conduct and etiquette displayed while present in the execution setting.

The emphasis of “professionalism” signifies a form of impression management emanating a sense of indifference used to vertically link the status divisions between the employees, inmate undergoing the execution, and any witnesses present. While undoubtedly the assertions of professionalism meant to show respect for the inmate undergoing the execution are sincere, this concept also serves other functions. Professionalism influences the role reversal and allows the correctional employees to better gain trust of the inmates undergoing the executions, which aids with their cooperation with the execution process. It also shows neutrality to the witnesses that may be composed of both the inmate and victim’s loved ones.

While the notion of “professionalism” serves positive functions that allow the execution process to run overall more smoothly, it has negative consequences as well. Impression management forces individuals to repress feelings and emotions. While this will be discussed in greater depth in Chapter V, it is important to address here since roles often determine behavioral conduct within different settings. Professionalism shown by the prison employees working with executions suggests they lack feelings and emotions related to humanity and what it means to be fully human. Prison employees who have negative experiences must show flat affect during the entire process and to all involved, which can be taxing on their emotional and psychological well-being. After the process was over the participants explained they rarely spoke with others about their own feelings and declined debriefing sessions which became available for some later in time. As Francis and Bailey explained, prison employees avoided sharing honest feelings to uphold the “hard-core” image expected of them.

The pressures for the prison employees are high and the negative repercussions of the death work have been largely ignored by the State of Texas and general population. The prison employees held the full weight of the executions on their own shoulders. Rylee nicely captures these deep levels of frustration from the standpoint of a prison employee:

...I mean yeah go ahead and kill 'em, the judge "yeah kill 'em" but you know what? You're done judge after you say that, the jury, it's, the people, they forget about the people that has, has to, has to carry that out...I guess what I think about when I know there's an execution is there's staff involved in that, that I hope it goes perfect for them and there's no uhm uhm foul ups that would cause scrutiny towards them because uh those people are under a lot of pressure because you have to make sure that that is a perfect process, and that's a lot of stress on them. But it has to go right. It has to go right...I think the State of Texas uh should recognize that that's part hardest of our jobs that they've ever asked a state employee to do, and they don't even get compensated for that.

From that account, even the lack of pay for the work further symbolically devalues the prison employees as human beings. The active lack of acknowledgement by the state implicitly suggests that killing condemned inmates is perhaps not much different from donating a little bit of time to tidy up the prison or do the state a service by cleaning up its most abhorred human populations. The work is so loathsome that it would be a far

stretch to assume the employees can put the death work the community service and volunteer work sections of their resumes.

Professionalism and Positive Image

The former employees, using the concept of professionalism to describe their own human compassion as associated with their unique roles, were no doubt genuine when communicated by the participants in this study. As highlighted earlier, none of the participants in this study anticipated working with executions at the onset of their employment with the prison or even when they were well into their careers. All respondents had been employed with the prison for many years before they were approached to work with capital punishment. Presenting their former very complex and stigmatized line of work in an elite and respectable light is not unusual (Johnson 2005; Goffman 1963). This is very comparable to asylums in earlier history where,

Emerging as psychiatry more sharply defined its boundaries and seeking enhanced professional standing, these workers took perhaps the only avenue open to them: they did what society required them to do. At the same time, they embraced an appealing psychodynamic rhetoric that allowed them to assuage their doubts and express their authentic desire to help. It is unclear how this stance would have evolved if shock had long remained the principal form of hospital psychiatric treatment. We do know that the broadening of professional opportunities during and after World War II reinforced even more the tendency to overlook institutionalized patients” (Cohen 1988:582-583).

The history of the mistreatment of patients and inmates suggests that the workers become sensitized to the surroundings over time. The goal of most employees is to perform their duties to the best of their abilities so as to get positive recognition and promotions. In order to succeed in total institutions the employees must reinforce and to some degree, internalize the authoritative rhetoric asserting humaneness while meeting the institutional expectations. They must be willing to enforce the institutional standards and find a strategy to minimize and/or remove questions and doubts related to the mistreatment of the inmates and patients. This is equally applicable when new experimental cutting edge procedures are introduced to the institution or the techniques being used do not reflect their field or threshold of formal training.

Recruits brought onto the execution teams, from the executioners (at least in some known situations) through the tie down team, had no formal training and certification in the medical or psychiatric fields associated with the lethal injection process or related aspects of death and grieving processes (Groner 2008; Avila 2007; Pickett and Stowers 2003). Thus while the prison employees have power over prisoners, their actions are constrained by a multiple set of actors in the prison who have authority over them (McIntosh 2013; Foucault 1995). Based on the interviews in this study, it seems that people who find themselves working in the more socially abysmal positions, even if that means having moved up the ranks in the profession, find strategies to privately mitigate personal doubts and emotional challenges.

One of the most powerful strategies seems to be a re-framing process that involves a reflective emphasis on personal compassion and genuine concern for the

patients/inmates and the other workers around them. These human responses to inhumane conducts, such as shock therapy, lobotomies, or capital punishment, reflect coping mechanisms in response to their own dehumanization that takes place when carrying out the unpleasant work. To do otherwise would convey the exact opposite message generating undesirable images enhancing the cognitive social distance between them as people who had participated in executions and their roles as functioning members of the greater society (Goffman 1963).

The Ongoing Practice of Social Sterilization

The common ground between the old and the new keepers of the total institutions is the lack of change in conceptions of social sterilization. As Goffman well pointed out, conceptions of “social sterilization” held by authorities from within the institutions are primarily focused on keeping the patients and inmates free of any outside social “contaminants” that may creep in from the outside world and interfere with the rehabilitation or social control programs. In contrast to the keeper’s viewpoints, conceptions of “social sterilization” held by the outside world are related to notions of “safety” and “protection” from the dangerous patients and inmates confined within the total institutions. Such collective perceptions harbored by the outside world are related to keeping the larger communities socially sterilized by physically segregating deviants and criminals into isolated facilities. Some exceptions to this rule may be when deviants or criminals are temporarily brought out into the larger society to perform tasks under supervision that clearly marks their socially inferior status through clothing attire and

armed guards in uniforms surrounding them as they perform their duties perceived from any type of social interaction with outside pedestrians or bystanders.

As with earlier total institutions the chief concern held by asylum and prison administrators were order and absolute control of all people, patients/inmates and workers alike, within the total institution environments. The newer “state-of-the-art” institutions were designed to force those admitted to adapt and conform to the total institutional environments. Lower level technologies with high incapacitating effects on the patients/inmates were primarily used that required little training for the workers, with the most prominent example being varying forms of isolation or solitary confinement and other settings that involved inducing various types of deprivations. These treatments extracted the psychosomatic independence of the patients or inmates allowing greater ease for the experts and staff to perform their invasive and painful pseudo-medical procedures. Other control strategies involved the employment of more non-invasive “therapeutic techniques” scientifically supported relative to the time period that were believed to calm the patients down by doing things such as strapping their victims into a chair and vigorously spinning them for extended periods of time (Missouri Department of Mental Health 2012), employing hydrotherapy (Hubbard 1927), and using hysteria therapy (Lam 2007).

Notorious for experimental practices involving medication and other irreversibly damaging forms of physical treatments (Weaver and Wright 2009; Foucault 1995; Goffman 1961), the earlier asylums regularly used insulin and shock treatments and performed over 20,000 lobotomy procedures by 1949 and over 55,000 just prior to 1955



Property of Museum of History & Industry, Seattle

Figure 4: Dr. Walter Freeman performing a lobotomy at Western State Hospital, Steilacoom, July 7, 1949 (University of Washington Digital Collections 2013)¹.

¹ The original image in Figure 4 was in the Seattle Post-Intelligencer on July 8, 1949 with the following caption: "Dr. Walter Freeman, professor of neurology at George Washington University, Washington, D.C., demonstrated a new psychosurgical technique on several patients suffering from mental disturbances according to the Western State Hospital in Steilacoom. One type "transorbital lobotomy" involved a sharp instrument hammered through the roof of the eye socket and then swung through the frontal lobe severing the nerve connections between the centers for imagination in the front part of the brain and the centers for the emotions in the center of the brain. This procedure was believed to be simpler and required less training than the older prefrontal lobotomy. Dr. Freeman visited the hospital at Steilacoom twice to demonstrate this procedure, in 1948 and 1949; Western State Hospital formerly known as the Western Washington Hospital for the Insane.

(Cohen 1988). The lower level technologies for the grossly invasive and painful lobotomy procedures involved a small handheld instrument that was struck by a small mallet with the other hand (See Figure 4 above).

Invasive and even life threatening historical practices have not been radically different across time. As stated above, what has changed is the rhetoric used to define the problem and expert authority on how to treat them. For example, prior to the rise of enlightenment philosophies older practices such as trephination resembling lobotomies were prevalent. Trephination was a procedure believed to cure insanity by piercing a small hole into the living person's skull serving as a passage for the demons to be released from the body, cure headaches, and assist with other ailments associated with the head area and otherwise perceived mental illness (Pennefather-O'Brien 1999). In more recent history peaking during the 1950's as highlighted above, the once widely believed to be state-of-the-art lobotomies were carried out on patients who were believed to be medically crazy leaving them to live the rest of their breathing lives in imbecilic mental states (Weaver and Wright 2009; Barber 2008; Cohen 1988). Induced deaths, calculated or accidental, were not exempt from such medical or punitive practices.

INFRASTRUCTURAL SHIFTS: SETTING THE STAGE FROM ASYLUMS TO PRISONS

The obscuring of total institutional roles between asylums, prisons, and other facilities, is inevitable due to the history of society using the state as legitimate force to handle the most socially undesirable sectors of the population. Often such negatively labeled characteristics are the direct effect of the various types of social exclusions as

highlighted by Marquart et al. (1996) and societal neglect resulting in poverty related ailments (Sutton 1991). While the state has consistently relied on both asylums and correctional facilities to handle undesirable members of society under slightly different guises and mission statements, there has been a large scale national bureaucratic shift from the psychiatric to penal infrastructures². But it is important to recognize this shift is not simply the result of deinstitutionalization and relocating psychiatric patients into prison settings (Harcourt 2006), rather it has been due to policy shifts as with the war on drugs and new tough on crime laws that targeted different populations based on gender, and class factors (Alexander 2011; Parsons 2011; Perkinson 2010; Waquant 2009; Reiman 1999).

In earlier American history individuals were largely governed by their local legal authorities. Beginning with the rise of the psychiatric institutions, to advance the political and societal support necessary increase the momentum of building the large scale mental asylum infrastructure,

² This research suggest that the rise of the prison infrastructure is the direct response to bringing down the racial apartheid in the U.S. Prior to 1950 the majority of those admitted into asylum facilities were white with the number of blacks very low until the numbers began to rise slightly in the late 50's (Harcourt 2006). The prison institutions prior to the 1970's were small even in comparison to the asylum industry. The longitudinal trend of racial and ethnic relations reflects a continuous exclusion of blacks and other minorities of color from access to equal participation in mainstream white society (Marquart 1998). During slavery, blacks were under the direct control of white slave owners and if free, were still under the totalitarian control of white society (Feagin 2006; Jordan 1968; Du Bois 1903) and while still under totalitarian control during Jim Crow were physically segregated from white society posing no real or perceived threat of interrupting the racialized status quo of the dominant white society. Prior to the ending of the racial apartheid, asylums were used to segregate mostly undesirable whites who shared the same social spaces the higher SES whites—at least had legal access to the same spaces. The political response to the dismantling of the apartheid was moving the financial resources from the asylum system to the criminal justice essentially creating what Michelle Alexander (2011) has referred to as “The New Jim Crow.”

First, they promoted alternatives to traditional institutions such as probation, parole, and the juvenile court. Second, they sought to rationalize the administration of social control functions by creating public bureaucracies that mirrored the structures of the professional associations themselves. In short, their goal was to build flexible systems of control and surveillance that would be informed by professional expertise and supported by the legal authority of the state (Sutton 1991).

The same strategy would be used to later build the criminal justice empire that would eventually come to accommodate the practice of permanent solitary confinement and capital punishment as a select feature of the prison system, perhaps most notably in Texas. While arguably the earlier asylums and mental health movements were generated as a means to control the poor and marginal populations, some argue that the contemporary prison system in the U.S. serve the same purposes. The contemporary correctional institutions within the criminal justice system are a “great experiment in social control” (Petersilia 2008).

While ultimately managing similar inmate/patient populations institutionalized under different labels, both types of total institutions had periods of “explosions” with asylums seeing that upward trend arise during the late 1800’s with mental hospitals growing at a rate both faster and larger than the federal and state prisons. In 1880 they held 40,000 patients and by 1923 more than 163,000 new patients were admitted to newly constructed psychiatric hospitals, which held more inmates than all other total institutions combined (Sutton 1991). These figures increased threefold from 150,000 in

1903 to over 445,000 in 1940 (Cohen 1988) and topping out in 1950 with approximately 550,000 admitted patients (Sine 2008).

In contrast, the prison system held relatively low inmate populations throughout the time periods and did not begin to spike until the late 1980's—almost a century apart in time to the rise of the asylum establishment. In reporting the combined number of inmates housed in prisons and jails throughout the United States, the Justice Policy Institute (2000) shows 112,362 in 1910, 252,615 in 1950, 338,029 in 1980 when the major spike occurred leading to jail and prison inmates 2,042,479 in 2001. That trend continued over the next several years and in 2012: “About 6,937,600 offenders were under the supervision of adult correctional systems at yearend 2012, declining by about 51,000 offenders during the year. The decrease during 2012 was the fourth consecutive year of decline in the U.S. correctional population” (Bureau of Justice Statistics 2014).

Despite the waning of the mental health industry from the 1950's onward, it still had a \$20 billion dollar infrastructure when approaching the 1990's (Cohen 1988). If the pharmaceutical industries are included to account for the trends of medicating people *in lieu* of institutionalization, the direct-to-consumer advertising gained momentum during the 1990's and continued over the next decades where the promotional spending on pharmaceuticals in the US was estimated at \$57.5 billion in 2008 (van de Pol and de Bakker 2010) and \$189 billion was spent on pharmaceutical drugs by consumers in 2004 (Balotsky 2008). And as research has demonstrated, the pharmaceutical industries do not create drugs to “cure” people of their ailments, but rather keep them “sick” so they have guaranteed revolving consumers for profit (Peterson 2008).

Changes in the psychiatric infrastructure have been reflected in the drop in asylums still with significant dollar figures spent on medicating the nation in outpatient non-total institutional settings. Similarly, the rise of the prison empire reflects outlandish dollar figures even further when non-total institutional forms of corrections are also included, as with probation, parole, work release, house arrest, and numerous related forms of correctional monitoring of individuals who are in some way implicated with the criminal justice system. But with the focus of infrastructural shifts as related to total institutions with the decline of asylums and the rise of prisons, such changes can be observed through the economic spending. The costs of the massive development of the criminal justice system in the U.S. was approximately \$40 billion dollars spent to just house jail and prison inmates alone without accounting for the many other costs associated with fully operating penal institutions at the turn of 1990 (Justice Policy Institute 2000). Over the next decade these figures were further increased to near \$75 billion on corrections with a large bulk on incarceration (Schmitt, Warner, and Gupta 2010). Despite the obscene financial costs associated with the criminal justice system, they continue to rise at all levels of the criminal justice system. For just the federal prisons alone: “The Presidents’ FY (fiscal year) budget request for BOP (Bureau of Prisons) totals \$6.9 billion, reflecting an increase of \$278 million (4.2%) from the FY of 2012 enacted budget” (La Vigne and Samuels 2012).

Societal Stage Shift: From Front-Stage Executions to Backstage Executions

During the same time asylums were the dominant total institutions during the 19th and turn of the 20th century, public executions were still taking place. It would not be

until the earlier years of the 20th century that all state sanctioned executions would be carried out inside penitentiaries by prison officials rather than by local law enforcement or appointed executioners. Continuing with a semiotic focus of the “jailors vs. angels” metaphor, problems arise with the physical setting as well. Achieving the angels of mercy image for the prison employees working with death row inmates is challenging in the correctional setting due to not only personal cognitive and emotional shifts within their roles as prison employees as related to managing the inmates, but also the symbolic landscape of the prisons. While tough to envision an “ideal” setting for capital punishment could exist; such conceptions were similarly difficult for the prison employees. The original Walls Unit was not built to accommodate capital punishment and the segregated housing of death row inmates for any long periods of time (Perkinson 2010). Dating back to 1923, the few holding cells next to the execution chamber in the Walls Unit is reflective of the relatively archaic sense of the building itself. The Walls Unit was the first prison facility in Texas.

Prior to the construction of this building and the death chamber within, it should be remembered that executions in Texas took place at the county levels when lynch mobs in the U.S. were rather common (Marquart et al. 1998; Tolnay and Beck 1985). Disturbing as it may be, the grim public execution spectacles would attract sometimes thousands of spectators for personal entertainment. Changes in staged settings had to eventually take place as, “the mob scenes that became public at executions—in one case drawing an estimated 30,000 people—became a motivation for moving executions inside prison walls” where into current times “executions are carried out deep within prisons

with conditions of semi-secrecy” (Groner 2008: 886). Built in 1849 the Walls Unit in Texas was not designed to solicit public admiration or accommodate large festive crowds for executions, nor was it intended to be aesthetically pleasing to any particular audiences (see Figure 5 below).



Figure 5: The Walls Unit in Huntsville, Texas was opened in 1849 to hold convicted felons. This unit received its name because it was the first penitentiary in the state to be completely enclosed with “walls,” made out of sand and brick. (Trinity University 2009).

On the outside of the building are some of the eroding bricks separate from the guard and clock towers lacking any distinguishing exquisite detailed ornamentation or innovative architectural design either signifying deferential status as a prison or accentuating its own unusual status as the epicenter of capital punishment in the nation. Rather the insipid prison scenery blends into the modest Sam Houston State University

campus only blocks away. Other than the barbed wire spiraled atop the rimmed outer walls that surround the entire prison, the building would look perhaps almost like an old closed down uninhabited closed down facility. Prison employees working within the unit also lack public visibility and esteem.

In contrast to engaging in the death work at the Walls Unit, Yanni (2003) explained that prior to when their professions became socially stigmatized; workers of the asylums tied the respect and prestige of their positions with the physical environments of the institutions. They took great pride in the exquisite gothic architecture that stood apart from other professional buildings otherwise lacking detailed sculptures and unusual designs. These features coupled with the high levels security embedded into both the social and physical features of the buildings signaled privileged status for the asylum employees quite distinct from society at large.

The rather mundane setting of the Walls Unit augments the invisibility of not only the death penalty, but most certainly the prison employees who are involved with the death work. In contrast to earlier asylum employees, the participants in this study did not suggest any indication that the physical architecture of the Walls Unit was positively tied to their professional identities as prison employees working with capital punishment. Only symbolically were the non-gothic physical settings of the prison as a total institution relevant for ascribing some level of importance in working with capital punishment. Their own introverted perceptions of any type of “elite statuses” were communicated through personal philosophies on maintaining the highest levels of professionalism and humanness within the execution process.

FROM SOCIAL LOCATION IN ARCHITECTURE TO SOCIALIZATION PROCESSES OF THE TOTAL INSTITUTION

The central theme throughout Goffman's work in *Asylums* is a critical evaluation of the various conceptions of "the self" since the actors are caught in the middle of different performances acting out different roles. Goffman defines "the self" as:

The self can be seen as something that resides in the arrangements prevailing in a social system for its members. The self in this sense is not a property of the person to whom it is attributed, but dwells rather in the pattern of social control that is exerted in connection with the person by himself and those around him. This special kind of institutional arrangement does not so much support the self as constitute it.

Socialization processes prepare people to fulfill different roles that are played for virtually every situation they encounter. The roles vary and fluctuate in intensity and magnitude from extremely informal to gradually more official depending on social setting and the people or crowd they are around at any particular given time. If we have many roles that continuously adapt to various situations and groups of people, then Goffman presses the reader to muse over the question what is our genuine role?

The role of prison employees frequently change within the total institution, particularly when they maneuver back and forth between engaging with inmates, interacting with other prison employees with higher, equal, and lower ranks, as well as when they leave their jobs and return to their home environments (Johnson 1995). The levels of emotional appearance continually adjust and adapt within the different

interactions relative to the various activities or duties they are engaging in with others. When they are playing the role of the prison employees within the total institution, they are reflecting to others within the immediate environments the very image expected of the larger institution.

Their uniforms or other symbolic insignia reinforce their superior roles and images to each other as prison workers as well as to the inmates who wear plain unadorned outfits continuously reminding of them their inferior statuses. These emblematic markers maintain the institutional solidarity and structural continuity while repressing conceptions of the private “self” as otherwise acted out when engaged in non-employment related activities in casual settings. In the prison system wardens and correctional officers are trained to treat the inmates playing emotionally detached role and then with more caring roles when the preparation for the execution process begins, which is approximately 2-weeks prior to the execution dates in Texas. This emotional schism with a personal distance served to not only aid in getting the inmates to better voluntarily cooperate with the entire execution process, but also to protect their own emotional well-beings as prison employees.

Perhaps a question for many is how people can engage in work that involves exerting incredible pain on others such as that noted above in mental institutions and prisons. Contrary to popular belief that lethal injection is a humane and painless process, harms are caused to all people involved. Aside from botched executions and living the rest of one’s life in solitary confinement, the various types of emotional and psychological harms that are death penalty-related involve anticipating the death process

itself over long periods of time (Sun 2013), which is also shared by prison employees who work with the death row inmates over long periods of time (Pickett and Stowers 2003). As with critics of the treatment of patients in asylums during the earlier years who demanded reforms after charging the institutions with committing human rights violations, the same arguments hold just as true in contemporary times with the prison systems and the various inmate populations—particularly those who sit on death row and undergo executions. To help assist a better understanding of the complexity of these controversial roles prison employees carry out as a profession, we will shift the theoretical focus of the settings to the staff's side of Goffman's work and apply it to the roles carried out by the participants in this study. We will attempt to address how and why prison employees get involved with the death work.

ZOOMING IN FROM THE STAGED SETTINGS TO ROLES

It is not unusual for workers in total institutions who are assigned more delicate or controversial tasks to experience what Goffman referred to as “role strain” which is when there is a conflict or inconsistencies in the demands and expectations of the roles already fulfilled. As shown above, role strain is prone to occur when people move from one setting to another. While in the case of total institutions, the roles of the patients/inmates and the ward employees were very clearly defined, the literature states that the roles were strained for the ward workers when the invasive procedures, such as shock treatment or lobotomies took place. It was more difficult for the workers because they had regular contact with the patients in contrast to the chief doctors who rarely

interacted with the patients except on the rare occasions when they performed patient evaluations and invasive treatments.

The temporary role changes were key in getting the patients to conform and cooperate with the staff when preparing for the procedures with less opposition and resistance. The roles for the staff who were most familiar with the patients would temporarily be modified into caring roles that more closely reflected that of the parental figure, which served to increase the control through bringing ease and comfort for the patients while undergoing the procedures. Regardless if the asylum staff played the role of emotionally detached workers or parental figures that involved either the appearance of, or very real genuine caring for the patients, the main goal for the otherwise seemingly compassionate behavior towards the patients was control. These role changes were very effective forms of manipulation encouraged by the total institution to gain voluntary compliance and total control over the patients. Role strain was a very real issue reported by the participants in this study.

Jailors of Deviants, or Angels of Mercy?

While conceptions of the criminal deviant and mentally insane have been treated as the same populations at times and as different populations at others, with an appropriate metaphor for the role strain experienced by the participants in this study, Grobb (1977) explains the institutional rhetoric for mental asylums presented the workers as “angels of mercy” rather than “jailors of deviants.” This was most apparent when the workers who maintained the standard operations of the institution were asked to be involved with more extreme non-routine tasks in changed settings.

There is a similar type of cognitive tension the participants in this study wrestled with when trying to describe their roles within the institution and their relationships with the inmates. For prison employees, by default their primary roles are “jailors of deviants” during routine operations, but when working with the execution process they strive to reflect the near impossible “angels of mercy” image. This appearance becomes even more difficult to achieve in the very old antiquated prison space where outside of the lethal injection process, the entire scenery is void of any signs of modernity. Figure 6 below shows an image captured in 2007 of the old death row at the Walls Unit. In



Figure 6: Old death row, Walls Unit, Huntsville Texas (Stoney 2007).

current times the old death row cells sitting right outside the death chamber are used as temporary holding cells for the last hours of life for inmates preparing to undergo their executions in current times. Because penal institutions are publicized as impassive places of punishment and corrections rather than places of compassion and mercy, as highlighted above the latter imagery is often difficult to for the prison employees to achieve.

Further difficulties in accomplishing revered imagery for the prison employees is the result of the standardized execution protocols in place for the sole purpose of ensuring the inmates are put to death by the state. In explaining the routine procedures from an objective institutional perspective Cameron captures how the role conflict involving the jailor's image inherently trumps the angel's appearance:

...when I'm talking about the execution, execution team, those are the people that receive him at the, at the death house, uhm search him down and sure he's, they receive him at the beginning so they go through a lot of uh, I don't know, security issues. Uhm, and they received, and he's clean, he's healthy, doesn't have any injuries or whatever and they put him in the, quote unquote, death house, and from the time he's in the death house there's always a suicide watch down there, all that afternoon they're with him, he's never left alone in a cell and they're there with him, so I don't know who does it, but he gets a shower and then he gets taken to the gurney....

Ensuring it is the state that takes the life of death row inmates and they did not die from other means or questionable reasons, the cause of death written on their death certificates is homicide. Guaranteeing the inmates are in perfect physical health during their executions is the paramount institutional responsibility of those who worked with death row inmates and the death penalty. This whole contradictory process is designed to reflect the illusionary imagery of the humanness of process and the institution.

Prisons invest much energy and correctional safeguards in preparing the inmates for their death, which begins with their entrances into death row. The preparation process operates at every stage. Executing inmates that are grossly malnourished, physically scarred or handicapped from brutal attacks from other inmates, filthy and untrimmed due to hygienic neglect, for example, visually would make it difficult for people to work with executions and bring alarm to some witnesses. It would also increase the likelihood of raised moral concerns among most all involved and/or present at the executions. Should such situations arise or conditions be present, it would increase the possibility that the executions would be cancelled, indefinitely or permanently, due to the legal requirements in place, as insufficient as they may be, that stipulate the eligibilities for death row inmates to undergo capital punishment. If scheduled executions fail to be carried out at their designated times, then that burden of responsibility falls directly on the members of the execution teams and prison employees beyond death row.

Role conflict between the jailors and angels

Remember asylums were advertised as medical institutions with the angels of mercy image, but the workers within often felt more like jailors of deviants. In this case, however, prisons were advertised as callous penal institutions with the jailors of deviant's appearance. At times, however, the workers felt more like angels of mercy. In this brief section only, for the purpose of clarifying the conflict that can take place *between* different roles employees carry out rather than the role conflict that occurs *within* the individual roles as discussed above, the jailors will be defined as the employees who are responsible for the correctional portion of the institution and the angels will be defined as the employees who are responsible for the medical care of the inmates.

Even though death is the prescribed final outcome for death row inmates and prisons promise to be miserable institutions for the inmates housed within, as noted above, possibilities for suicide, homicide by other inmates, or other possible means of death are prevented by the institution. Through proactive means, the prison works to insure the inmates are in sufficient physical health throughout their stays on death row so they are "healthy enough" to undergo the execution process. But this leads to conflict between the roles of the different prison employees who are responsible for carrying out the executions. Prison physicians, for example, must provide medical care for the inmates as their patients. The ethics behind serving as a medical practitioner in the prison means preserving life, not inducing or legitimating death or other types of harms to their patients—even if state sanctioned. By default, prison physicians and nurses

cannot be involved with the execution process because that would pose a conflict of interest with their doctor/nurse/patient relationships with the inmates. And further, there is issue with *any* medical practitioners having any intimate involvement with the execution process at all since they are sworn to the Hippocratic Oath upon certification, which blocks respectable physicians committed to ethically sound practices from legitimating capital punishment under any circumstances (Groner 2008; Avila 2007).

Francis recalls a situation where these incompatible professional medical and prison employee roles and the authorities behind them collided intensely with an inmate who was not deemed to be healthy enough to undergo the scheduled execution due to self-inflicted harm:

...we talked about the Hippocratic Oath uh, we had an offender uhm, try to [type of act]...so we rushed him into [name of location] with the prison ward down there...warn ‘em, he has an execution date uh and we have to carry this execution out by [scheduled hour]. Well the physician says, “we can’t release him. I don’t feel comfortable that he can make the trip from [name of town] to [name of town]” Now he’s lookin at one aspect of this, you know, my my fellow, you know here I am, not, you know “I understand what you’re sayin” I say, “I don’t mean to sound cruel, but we takin ‘em up there to execute ‘em” Okay, he says, “I’m sorry, I, I don’t think you understand. I’m a physician. I could care less what y’all are sayin up there. I cannot release my patient because I’m fearful that my patient will not survive the trip from [name of town] to [name of town],

and I'm not gonna release him until I feel comfortable that he can do that." So we went back and forth, I had already loaded up a bunch of my folks, we got a prison warden down there, okay, take "the van, take an armed confidant and you get 'em, forget what this doctor is telling you. He don't have to medically release him, but he's under our custody and control. Load him up and bring him this way." And that was the plan. And luckily that we didn't have to do that, uh he, the doctor came to an agreement and said, "I'll tell you what. If you will [type of transport] from [name of town] to [name of town], and have an MP..., and you will have an ambulance with an EMT escort that ambulance with him, then you can come get 'em." So that's what we ended up doin. But you know, it's sad, but here we are debatin whether or not to go and take a condemned fella, to execute him and we got the doctor on the other end sayin, "Heh, I'm not going to release him because I don't think he'll survive the road trip."

The many levels of conflict that were taking place in this situation intertwined not only in personal-level professions and responsibilities with relation to the inmate, but also their contractual relationships with the prison institution, which was representing the state. While prison employees are trained to follow the orders of the chain of command, in this situation there were three different individuals representing three different types of authoritative roles as related to the prison of whom Francis was one and caught in the middle between medical and administrative roles. Another key feature

of this description is that these individuals were speaking not through a personal voice but rather as actors in their prescribed professional roles. This point was emphasized here as Francis identifies largely with an anti-death penalty orientation within his/her personal/private identity. The inmate executed in this case, with all circumstances aside, would not have been a candidate to be sentenced for death on a personal level for Francis; though a crass understanding of the sobering inevitable fate of the inmate is captured through the sardonic manner of the professional role when addressing the dark irony pointing out the obvious to the physician.

Inmate Characteristics Overlap with Prison Employee Characteristics

Goffman's carefully reported his qualitative observations from both the perspectives of the patients and the staff. His reports were focused on how these two different populations learned how to carry out their roles with relation to one another in and between both the staff and patient populations. Manipulative exchanges and bribery with the goal of achieving some personal role associated benefit was not unusual, as with staff giving cigarettes or extra small privileges to the patients leading to greater conformity of the patients.

But this section focuses on how many of the same socialization traits and techniques used to re-socialize the people admitted into the institutions to fit the role of the patients are likewise used among the prison employees to "re-socialize" the inmates within the prison institutions. This re-socialization process is particularly important in addressing the question of how it is that these workers can engage in the execution work. As stated earlier, the participants in this study did not foresee or envision working with

capital punishment when they first began working at the prison. Thus, this research argues it is a deeply complex, seemingly harmless gradual socialization process that requires the workers to adapt to the cultural inner-workings of total institution, much like the inmates. Over time, this socialization process desensitizes the prison workers to the conditions within the total institution that legitimates and normalizes various depravational conditions, as well as different forms of violence used against the inmates, much like those used asylums. Long-term exposure to these forms of abuse and result in personal oppositional thresholds to slowly widen and ultimately legitimate and accept inducing the death of condemned inmates.

This re-socialization process results in isolation among the prison workers due to the nature of work within the prison (Zimmer and Jacobs 1981). Like most all total institutional environments, prison workers have been trained to talk little about their work outside the confines of the prison walls (Duffee 1989) and even less for those who work on the execution teams (Johnson 2005). According to Duffee (1989), it is not unusual for prison employees who are also securely locked within the total institutions to likewise feel like prisoners, sometimes leading them to question the relevance and purpose of their jobs. While total institutional environments are designed to alienate the patients and inmates from their previous sense of self prior to entrance and transform them into the desired products of the institution (Goffman 1961), this research argues they do the same to the employees to various degrees. The employees spend long periods of time and majority of their daily waking hours, representing regular employment

schedules, in the prisons. This long-term exposure to the ranked authoritarian system, leads to changes to their senses of self in their everyday lives.

The only people who are invited to partake in the death work are those who have been re-socialized into the products of the institution. Individuals who demonstrate successful re-socialization are promoted into the higher ranks over long periods of time. And again, the only employees who work on execution teams are those who have been employed with the prison for many years and hold higher ranks within the system. Without question, many people initially go into criminal justice professions because they possess an honest sense of justice. Those who become disenchanted with their work find it difficult to enforce laws and maintain environments come to conclude is inherently unjust (Duffee 1989). Some participants in this study certainly reported similar bitter sweet sentiments about their former professions as related to capital punishment.

With attention to the patient/inmates populations, Goffman (1961) explains “recruits” enter total institutions in different frame of minds where at one extreme some are involuntary entrances of those who are sentenced to prison or have been committed to a mental hospital and at the other end of the spectrum there are other establishments such as religious institutions that only admit those they feel have received a “calling,” such priests and nuns. Other examples for admittance may be the influence a trusted person who advises the possibility of entering a mental hospital, but fails to provide a realistic picture of the institution. In such situations they are advised that they will get required medical treatment and rest necessary to recuperate, and will be out in a couple of months or so. Of interest to this research is the idea that prison employees for the

purpose of this study are also considered “recruits” of the state and how and why prison employees find themselves working in total institutions. Members of the execution teams are indeed recruits.

While their scheduled times of employment as workers within the total institution is not 24-hours per day like the inmates, their presence while within the institutions is constrained to the totalitarian rules and policies that limit their autonomy in ways that are somewhat comparable to that of the inmates housed in the prison. The obvious difference is that they are free to leave and participate in the free world when their work days are over. While they do not have the status of the inmates within the prison and rather give orders to the inmate populations, they still follow strict orders from higher level officials. The stratified hierarchy of rules is designed to maintain total control through the cognitive role polarization of both the inmates and prison employees who regularly interact with each other on a regular basis. Those axiomatic roles within the prison setting are dependent upon one another to exist. Furthermore, because of how the social structures designed, the roles of the prison employees and inmates are inherently pitted against each other. There is little room for deviation from those roles representing both groups if the institution is to survive.

The roles of the employees require they develop a solid hyper-masculine authoritarian shell. Several participants in this study explained that in order to move up in rank in the profession they must demonstrate to the institution that they are “hard core.” The roles successfully fulfilled lack affect and are emotionally crass and resistant to manipulations and false impressions that might come from the inmate populations.

Such pretentious presentations from inmate populations are out of lack of trust with the prison employee populations and sometimes out of personal protection, as with hiding contraband or on rare occasions inmates plan escapes. Hence questioning the morality of their work and/or revealing feelings of sorrow or grief could indicate signs of “weakness” and naiveté. Participant Bailey explains any displays of compassion can pose threats to promotions within the institution despite the claim made by the higher officials that employees will not be penalized if they voluntarily withdraw from work duties that are controversial in nature, a point we will return to later.

Role socialization and alteration

In order to become products of the total institutions as noted above, a re-socialization process must take place, which breaks down the “self” and molds it into a product of the institution. This process involves both disculturation and desocialization. Goffman explains disculturation is the process of “untraining” the inmate so that certain behaviors as associated with managing their daily lives independently outside the total institution are removed and they are incapacitated. These processes are concentrated on making the patients entirely dependent on the total institution. Dependency on others for survival creates job security for the workers. Further, it creates self-fulfilling prophecies by satisfying the job-titles of the workers. The wards of the total institution firmly instruct their patients that the restrictions and deprivations placed upon them are not due to blind forces as tradition or economy, but are intentional features of their specialized treatment plan.

This disculturation process is not only applicable to patients and inmates; it is equally related to the employees when adjusting to the work environments of the total institutions. When working in the prison system new employees must go through a strict and intense tailored training process that prepares them to enter into and adapt to the prison work environment. This training involves teaching the employees how to maintain total control over the inmates at all times and in virtually all imaginable situations, both with and without the use of physical force. The training also involves teaching the new prison employees how to conduct themselves around the inmates and other employees within the total institutional settings. They are trained to view the institutions from a variety of angles that are simultaneously inclusive and exclusive of both the inmate and working populations. These regular unequal exchanges reinforce the socially constructed realities between the dominate/subordinate roles between the prison workers and the inmates.

In addition to the deculturation process, Goffman explains the patients/inmates simultaneously undergo a desocialization process which is where they come to experience the loss of fundamental capacities to communicate and cooperate. This means that they lose the ability to think and respond to their immediate authority independently and come to respond to others in a rather perfunctory manner. Responses that deviate too far from the role they are supposed to play as the patient/inmate, including those that reflect normal functioning independent individuals, can result in disciplinary actions. These formal and informal sanctions are designed to force the patients/inmates back into submission and dependency, underpinning their subordinate

statuses within the total institution as patients/inmates. As noted above, this research argues that a very similar socialization process takes place among the prison workers within the total institutions, though on the dominant side of the spectrum. As with the military, the goal of is to reshape the cadets into soldiers and the goal of the cadets is to move up in rank. A parallel process holds true for prison employees in the prison institutions.

Part of moving up in rank, as the participants in this study explain, is the willingness to obey to higher authority even if they are internally hesitant due to the orders violating their own personal morals and values. The employees must have the ability to enforce the laws and policies of the prison system at very minimum, to keep their positions. Through the process of desocialization, they are re-socialized to acquire the ability to communicate and cooperate with the other prison employees within the culture of the prison environment and uphold the foundation and structure of the total institution. The desocialization process of new recruits into the prison employee culture inhibits their abilities to openly question orders from higher authority and challenge the larger structures in the event they come feel uncomfortable with the protocols and procedures embedded in the roles they carry out as prison employees. At very minimum the prison employees must be able to shed their hesitations and discomforts related to the treatment of inmate populations, should any exist. Conflicts with personal viewpoints can arise when inducing various types of deprivations as with solitary confinement and plantation prison work in extreme temperatures to name a few.

While patients and inmates undergo role dispossession, which is defined by Goffman as the constant separation from the larger society and the deep initial break with past roles, prison employees to some degree undergo the same. An example Goffman gives to demonstrate the break from past roles is with military cadets who quickly learn discussions of wealth and family backgrounds are taboo, and although the pay of the cadet is very low, he or she is not permitted to receive money from home. Another is the names of new incoming candidates may be changed upon entrances to symbolize a break with the past while accepting the life of the establishment. Frequently they are told that if they wish to be recognized as full persons they will have to change their techniques of interacting with people, as well as the overall conceptions of the selves.

A key component of the socialization of correctional employees, like military cadets, is they start at the lowest ranks and work their way up. Their modest uniforms imply higher status than the inmates, but new employees still lack the decorum and privileges of the higher ranked officers. Usually employees who hold the same rank receive approximately equal social status and as they demonstrate to higher level officials that they have been successfully socialized within the total institution, they may potentially move up into higher ranks. Those who fail to do so well either leave this profession and find a different line of work that is more compatible with their own abilities and interests or remain stagnant within whatever rank they have achieved (Benismon 2004), or perhaps get demoted in rank or fired.

Role dispossession for the prison employee means when they put on their uniforms and enter into the total institution, they are constricted to the rules and policies of the institution that leaves little room for independent and creative thinking. Limitations on creativity and thinking block the potential for environmental modifications that could otherwise empower the employees and inmates in positive ways³. From a deeply socialized correctional standpoint reflecting the total institution, however, this is reasonable given they are dealing with unpredictable, potentially violent, and even life threatening inmates. Thus strictly adhering to the protocols and policies of the institution serves the benefit of ensuring the best possible protection for all employees, as well as inmates (Kellner Andrews 1983). And as Petersilia (2008) notes further, with the emergence of prison gangs that have achieved new types of power and influence within the institutions where inmates challenge the power and authority of prison administrators, this has resulted in a pervasive culture of fear and violence in many U.S. prisons. Staff and inmate assaults are more common than they were in earlier history. In the case of Texas, however, the increased violence is partially due to the removal of the building tender system that relied on inmates to maintain institutional order, ironically through the use of violence (Marquart year; Marquart and Crouch 1985).

³ McIntosh (2013) highlights this tactic works well as long as an emergency with challenges not covered by the rules does not occur. Sociologists wrote about the attack on Pearl Harbor during which soldiers waited for the rules to be followed before they tried to access ammunition that could have been used against their attackers.

The prison reform has not corrected the issues it was meant address and has enhanced the magnitude of the de-socialization of roles with the rise of the prison empire. Research has tried to address the issues with little success in influencing positive changes among the populations. With primarily a therapeutic emphasis, social workers and other practitioners have used prison populations as a means to carry out various types of research that involve experimentation accompanied with trial and error for the purpose of gaining greater understandings of how social relations can be improved for the inmate populations (Wacquant 2009; Shireman, Baird Mann, Larsen, and Young 1972). But still significant issues persist among the inner populations.

While true that in order for institutions to function in a reasonable fashion there must be some level of balanced structures; rules and organization, and the environments must afford opportunities for individuals to grow and prosper while cultivating personal interests and mastering knowledge and skills relative to their own talents (Tae-Yeol, Hon, and Crant 2009; Perry-Smith 2006; Amabile, Barsade, Mueller, and Staw 2005). In total institutions there is little room for creativity and personal exploration; advancement is based on the ability to conform. This is quite different from functioning in the everyday operations of other institutions that typically does not require role dispossession, at least to the same degree it does in total institutional settings. Through deculturization and desocialization total institutions inhibit emotional and creative expression, individualism, and independence, which make it difficult for individuals exiting the institutions to be successful in the outside world.

Prison Employee Characteristics as Jailors of the Deviants

While there are similarities between the socialization processes that take place among the inmate and correctional employee populations in total institutions as noted above, they are clearly different. Goffman also focuses on the distinctions in power relations and statuses between the inmates and correctional workers. As highlighted above, notable differences are upheld through symbolic props and physical settings within the institution, such as uniforms worn by guards that signify power and control reinforced by firearms and batons, thick clothing and boots while the unadorned garments worn by the inmates that include slip on sandals. These visual markers also powerfully reinforce the roles of subordinates. The main goal of the staff population is to present the total institutions as rational competent organizations, which equates to nothing short of complete order and total control. These presentations serve to enhance the cognitive divisions in the psyches of both the employees and inmates within the institution, as well as to outsiders who may temporarily get a partial glimpse of the inside world.

The alienation and hindrance of human connection for the inmates and to a different degree the workers, is enhanced further for those who work with death row and managing inmates who are preparing to undergo the execution process. According to the participants in this study, death row inmates are housed in solitary confinement until their execution dates. While on death row they blocked from any physical human contact with others, with the exception of correctional officers who carry their routinized jobs of forcing the inmate to conform to the power structures of the prison.

When asked about the level of physical human interaction the inmates get with other people, including close friends and family, during the weeks or days prior to the executions Sammy replies:

Not with any of the, just with the officers, you know, they need contact with the officers, it's...you know...and that's always retending the restraints, uh you know we have to escort them into the showers, recreation room, this that and the other...you know without draggin, but as far as any outside person goes, immediate, immediate family's wife, children, no physical contact whatsoever.

In the days prior to the execution dates the inmate's families are allowed to visit, but only through a transparent pane of glass that separates the inmate from the family. When asked if there might be occasional exceptions in allowing the inmates to have brief physical contact with loved ones prior to executions, and if not, if this might be a rule that should be modified Sammy explained:

It would be just for some, but unjust for others. Yeah, and that's only individual cases. Inmates, actually inmates would behave this that and the other, because it can be controlled, people can control something from happening. Just make the right decision with the right kind of inmate because there's some inmates just like you say years ago some of your best was somebody who committed murder...Who's to say he couldn't have contact...maybe that's not the case but it's involving the mindset, "Hey, I'm getting contact with visitors, I gettin to see my family let's see

what I can do here to aid another escape” so to keep that from happening you don’t put anything in the mix that could possibly help that.

The internalized viewpoints of the inmates as reflecting the condemned status for the prison employees was very clear. Exceptions were not made for any death row inmates and the procedures were always strictly followed.

The participants in this study, even though retired, continuously referred to the prison populations as “inmate” or “condemned” rather than by their birth or preferred nick-names. Prisoners who had been put to death were still collapsed into the condemned, nameless objects of the institution. The only exceptions were when high profile death penalty cases were referenced and the prisoner’s names were used to help describe their recollections and experiences regarding the execution process. In contrast, when they referenced other prison employees the likewise preserved the status, power, and ranks. While dehumanizing the inmates, they humanized the prison employees by addressing them as, “Warden [Name]” or “Chaplain [Name].” As Goffman demonstrated well, the language used on a regular basis in the total institution is quite powerful, if not key, in regularly reinforcing the symbolic interaction and socially constructed power-relations reality within and between all people and groups residing within the confounds of total institutional settings.

Viewing inmates as inanimate objects

A key aspect of the socialization that goes into the training of correctional employees to willfully and blindly follow the standard protocols that dehumanize the inmates is to view them as “inanimate objects.” Goffman explains viewing the patients

as objects rather than human beings by the staff who worked with the patients in earlier asylums served to ease any questions of the conscious and strengthen the emotional detachment process. This tradition has been reinforced with authority of elite scholars such as Alfred Eichholz (1902) who would generate dehumanizing definitions for devalued members of society. The concept of “feebleminded” and the usage of animalistic metaphors were widely popular during the turn of the twentieth century. Defining and viewing those who have been institutionalized as not fully human has a long history in U.S. society.

There is a strong parallel with the detachment processes among prison employees and inmate populations in current times. This same phenomenon emerged as a theme for some of the participants in this study. When asked if capital punishment serves as an effective deterrent, Dana responded:

No. I do not, no I actually, if I ever that it did I was convinced or of reading of that, I just don't see that the numbers add up on that. My stance personally has been...that a rabid dog won't bite again, you know, if that rabid dog bites your child or bites your mother or bites you, normally you put the dog down, that's just you know wherever you are you know, you're here or wherever, well then to me it's, not just two, but a person in the community that's killing children or killing old ladies or robbing people to kill them, and uh we don't need that person, don't need that rabid dog in our community so even if it doesn't deter Joe Smith ain't gonna do it again you know, so we're safe in that sense.

While such viewpoints varied in terms of how much the participants had detached themselves from the inmates as human beings, often for the sake of coping strategies, the participants related the execution process to euthanizing animals in a humane manner. In comparison to other methods as with the electric chair for example, they felt lethal injection was the most humane process.

While in agreement with this line of thought, though critical of the chemicals used for executions in Texas at the time of the interview, Skylar recalls:

I had a veterinarian...he had a large animal practice and he'd call me on several occasions and laugh because on the website that TDCJ has, it would list the time that the execution took you know uh, which is really a false time, it's uh, after the, after the, the offender's clearly dead, they, the warden will count off four or five minutes then that uh, that becomes the official death time, so but the inmate was dead for a long time, my friend...would call me and brag to me about the fact that uh that it took so long according to the website uh to execute an inmate in there and he said, "When I euthanize a horse the biggest problem I have is getting out the way in time because they're so quick" boom, so I think that it will be extremely quick if they go to that process, I don't know why, and again you know the process, the process was, was put together by pathologists in Oklahoma, uh, he came up with the three chemical cocktail.

And for others who worked directly with the executions and were socialized in the country life, the lethal injection process as carried out during the time of employment

was found to bring some level of peace of mind, again, in comparison to other methods used historically.

Rylee who like so many others in Texas, was involved with cattle ranching, described this experience as being a significant part of life in general. An integral part of the territory of ranching is euthanizing animals when deemed necessary, often for perceived humane reasons. This might be considered a “rural mentality” quite different from “urban mentalities” where the fundamental metaphysical outlook on life are in direct conflict the rural mentality. In contrast to “urban mentalities” where individuals little to have no contact, interaction, and emotional attachments with animals beyond domesticated house pets, regular care, contact and interaction with animals much larger than they is central to ranchers who spend the majority of their time in rural areas. Certainly emotional connections made between ranchers and their cattle is instrumental with the owners wishing for their cattle or farm animals that have to be euthanized, to be done as painlessly and humanely as possible. Part of searching for the most humane way to euthanize serves to not only reduce agony for the animals undergoing the euthanasia, but for the owners as well, in terms of limiting the owners to exposure to any type of suffering associated with the death process.

This phenomenon overlapped with the executions of human beings captured with Rylee, when reflecting on the capital punishment process and lethal injection in Texas, concluded:

If we are going to have capital punishment in the United States and it looks like there's, that's what we're gonna have, then I think that lethal

injection is the way to go because they do just go to sleep. I've never, in all the executions I've seen, I've never seen anybody suffer, which, I was very happy about that because it sure means you're on a good team. Uh, because I think when you have executions that are violent or that go wrong, I think you know, the people that do suffer are the ones that have to participate in that process.

Rylee had participated in dozens of executions and it seems this relationship with the country and ranching as described in the interview may have been a significant component in assuaging the ability to participate in numerous executions with a rationale that legitimated the process during the time of employment at TDCJ.

Focusing on Reprehensible Acts and Faith in the Criminal Justice System

Another technique used to make it easier to work with the executions, as some participants in this study reported, was focusing on the heinous nature of the crimes that had led to the death sentences of the inmates they were executing while simultaneously emphasizing their faith in the criminal justice system being virtually error free. They place their faith the scientific technological advancements combined with the appeals process built into the legal process that allows the defendants to challenge their convictions while avoiding thoughts on the possibilities of innocence. These two strategies combined had provided many prison workers the power to carry through with their death work while shielding their conscious of questions of the inmate's innocence or of the inhumaneness of the execution process itself.

A higher level prison employee, Terry for example, who identified as being indifferent on whether capital punishment should be practiced or abolished explained nonetheless some experiences learned about others working with executions at informal employee events. Terry found them rather surprising and in line with Johnson's (2005) results with the prison employees who worked with capital punishment in Oklahoma. One strategy stood out pretty strongly for Terry when talking to other prison employees was about how they prepare themselves for executions was with one employee who explained that before each execution he would look up the file of the person being prepared for the execution and look at the crimes that he's being executed for and then imagine the victim was his wife, daughter, or other loved one. Terry did not take any issue with this approach, but was more surprised with how opposite it was to the approach used by others where they avoided learning any information about the offender until after the execution had been carried out so as to help prevent negative treatment the inmates might receive prior to their executions.

With a similar strategy, anti-death penalty leaning participant Francis explained:

Well I didn't imagine it was anybody that I knew, uhm, I read it to get a better sense as to what, what he's being punished for, what, what uh, what the crime was, uh try to see and try to put myself in the juries seats, there okay. Found this guy guilty of doing this here and, and you know what uh the jury says and the court says that he was found guilty and his punishment is death, so my thought as let me see what they saw. Let me, let me at least, I may not have all the evidence no, but then I'm going to

have a, a summary of, of what the charge is and I'm going to have a summary of how uh, the crime took place. And that, that helped me.

Request of Prison Employees to Work with the "Easier" Inmate Populations

Further compatible with Goffman's work is the tendency for lower level prison guards to request to work with death row inmates, according to the participants in this study. The staff in Goffman's findings had often preferred to work with the regressed wards because there was so little to do and the patients never resisted their daily routines or orders. Similar to prisons, mental institutions were significantly composed of often non-violent individuals who had committed victimless crimes, such as alcohol and drug abuse and prostitution. The institutions would sedate the otherwise healthy patients with various drugs and use physical force when the patients did not fully cooperate, which resulted in more work for the staff. And the notorious pseudo-scientific procedures, such as lobotomies that left the patients permanently impaired and in a vegetative state were less work for the staff than the patients who had full mobility and would negatively interact with them as the staff and other patients. Like the regressed wards, inmates who are housed in the death row population tend to be less work because they live in total isolation resulting in various types of deprivations that leads the inmates to become lethargic. The deprived conditions limit the inmate's abilities to make requests of the employees and engage in conflict with other inmates.

This is in direct contrast to the pre-reform prison days in Texas where inmates who were in for capital murder were often selected as the building tenders and turnkeys for the institutions (Marquart and Crouch 1985) and worked out on the plantations

(Perkinson 2010). The ideal inmates for the prison workers to work with on a regular basis are those who do not challenge the prison system as several of the participants in this study had referenced the notorious *Ruiz v. Estelle* (1980) case as the primary example of a frustrating inmate to deal with. In addressing Ruiz many different sentiments were expressed from blaming him for the major prison reform that some feel destroyed a previously “good system.” Others felt the reformed system has been economically costly for the tax payers in the State of Texas but is overall better than the old, and while still others felt as though it was the case that one oppressive system has been replaced with another. Those who expressed the latter explained the reformed system is a very flawed and oppressive system that has created inhumane situations for death row inmates only compounding serious human rights questions.

Coping with human emotions and role conflict

Goffman observed that when the staff recognizes patients developing “personal” relationships with another staff member, they are corrected in a very short period of time through staff meetings where they are reminded, warned, and assured that the patient is “sick.” Back when questionable methods were used to control the patients in mental institutions, with relation to the social workers carrying out their invasive procedures and other types of work that led to personal discomfort for the ward employees Cohen (1988) explains, “Their ambivalence about these treatments, and the ways in which psychodynamic rhetoric helped reduce their worries that these treatments were harmful to patients...” served to increase the social divisions between the staff and patients (p. 578).

A very similar phenomenon occurred with the participants in this study with relation to coping mechanisms where they had emphasized that it was through their “faith in a just system and not questioning the law” that made it easier for them to carry out the death work with less worries that they were engaging in unethical or immoral actions. Another strategy they reported using was holding the mental image of the inmates as non-human or less than a full person, which was routinely conveyed in the interviews where they had referred to the inmate populations as “the condemned.” Nevertheless, even with all the different strategies in place for the prison workers to maximize the emotional detachment from the prison inmates so as to make their jobs easier, the participants in this study still reported difficulty with an emotional component that prevents the ability to block one-hundred percent of all emotions in the execution process. Tracy explained:

...but you need some type of conduit so these people can, can really, because you know doing an execution, the tie down team as they call it, they’re back there all day until the execution takes place, and they’re intermingling with the offender, and, they have to go in there and strap him down, and, there’s still the human factor there, the human factor’s in there, and all of the sudden you get to talking with this person for hours and hours and hours, then there’s no more talking, and you go home. Think you need some, you need to have some, whether it’s staff psychologists or outside psychologists, just in case they need that. Now

some people may not need it. But the service should be available in case something happens. That's my personal opinion.

Supervising prison workers who have naturally developed significant rapport with the death row inmates due to the length of time they had worked with the same inmates on a regular basis found their work very difficult when the scheduled execution dates arrived. The participants in this study reported emotional difficulties for the death row prison employees when they had to assist with escorting death row inmates off to their executions. Baily added further that it was also very difficult for them to deal with the inmate's families stating:

...So most of the guys, and the one's I talked to, it creates a different issue when you put them on the table, you know, you make conversation, and the one thing about, I think the probably the hardest part about being a [name of position] is you have to interact with the family. I, I can remember having conversations with my officers, sobbing and breaking down, and it's very very difficult to deal with. All you can do is be, is, empathetic as you can without giving away the forum. I mean you can't sit there and tell them as a [position title] of the, for the state, "Oh I agree with you this is horrible" but, but at the same time you can't say, "Get out of my office. He's getting what he deserves" so the hard, hard, hard road to walk.

Working with capital punishment for the prison workers was very difficult emotionally for the participants in this study because while the institution implied there

was room for the employees to have and/or express their own genuine feelings and emotions (and to some degree, they were expected to reflect their genuine concerns through their poised composure when working with capital punishment), the unspoken rules jointly upheld by workers resulted in deeper emotional repression and cognitive dissonance at all levels. While the workers suggested they were like family, most reported they were only comfortable confiding in one or two co-workers with candidness regarding their work with executions, and some suggested they primarily relied on unrelated sources for their social support, such as their personal outside religious ministers.

Role Strain and Ceremonial Role Reversal

Major themes that arose among the participants in this study were: 1. The emotional labor required to carry out the duties of prison employees; 2. The way the capital punishment procedures are designed to minimize the probability that prison employees who have worked with death row inmates will be involved with the execution process carried out at the Walls Unit in Huntsville; and 3. The temporary role reversals the prison workers undertook during the preparation periods for the execution process in comparison to the standard treatment the inmates received prior. These themes express the complex difficulties prison employees who work with executions are likely to confront and grapple with over time. Ironically, the prison employees who are often recruited to join the execution teams are the most “hard core,” yet they are the very same group of individuals who show the inmates undergoing the executions temporary compassion up through their last moments of life.

Staff members who are in continuous contact with patients, as Goffman highlighted, feel they are forced into contradictory situations where they have to coerce inmates into obedience on one hand, while at the same time emit the impression that humane standards are being upheld and the rational goals of the institution are realized on the other. Likewise this very phenomenon is no stranger to the prison system. This prepping process for executions with the death row prison workers begins several weeks prior to the execution date. As highlighted earlier the underlying reason for the role reversal is getting the inmates to voluntarily cooperate in playing the role of the condemned inmate who is undergoing the execution. These role shifts are different from the prisoners playing the earlier role of the death row inmate and the correction workers playing their roles as the cold emotionless prison guards.

It's important to remember that, as of post-prison reform in Texas death row inmates sit in solitary confinement for 23-hours per day with one hour of isolated caged recreation time. As demonstrated by Goffman's work where the staff had to force patients to undergo a complex and internal change with the conception of the self as situated within the total institution, Yanni (2003) explains:

Moral treatment, or moral management, was the name given to supposedly curative techniques that emphasized a change of environment and attitude toward patients. The moral treatment required that patients, first of all, move to the asylum. The treatment also required that they change their daily habits-regular schedules were intended to make patients internalize self-control. Not surprisingly, the spaces within

hospitals and the circulation patterns reflected and reinforced this control (p. 27).

In the case of inmates sentenced to death in Texas, the re-socialization and treatment (or punishment) process begins with being held in a jail for a period of time upon which they first become familiar with the physical environment and routines of the institution where they typically stay until sentenced to death during their trial. Upon the sentencing, they are transferred from a jail setting that generally offers more social interactions with others to the state prison where they spend the rest of their living years isolated in solitary confinement, unless exonerated.

While prison settings in general are designed to get the inmates to internalize the patterns of control from within, death row in current times represents the greatest extreme of a total control setting. Solitary confinement is the most powerful setting known to produce powerlessness in every respect and full submissiveness to the larger correctional structures. The prison employees who work with death row inmates often have known the inmates for many years when their scheduled execution dates arrive. It is at this point that some level of ceremonial reversal begins between the correctional officers and the inmates.

Approximately 2-weeks prior to the execution dates the corrections officers and other prison workers begin to interact with the inmates more than usual as they have to prepare their death packets. This process involves collecting information that pertains to the finer ritualistic details related to the pre-execution process, such as what foods he or she would like for his or her last meal, detailed clothing preferences (including colors)

for the execution ritual, of which the prison attempts to accommodate depending on what they have in their storage bin of used clothing, who he or she would like his or her body released to (if anybody), and so forth. Sammy vividly recalls the significant changes in the routinized roles and daily schedules between the prison workers and inmates:

At first kind of somber you know with, and then it where it was like a routine type of day, it's uh, and then there's a lot of times how there was high profile the case was, and it, just how much of the media was involved or how much we interacted with the families, you see we also interacted with the families, we're the ones that let the inmates visit before the execution, did all this...prior to taking him to the execution over at the Walls, so we actually talked to families and all that, prior to all that, we did the death packets, we had to ask him about his last meal, we had to do all that process...“whose going to take your body,” whose going to do this, whose going to do that, so. And then for some people those are very hard questions to ask, you know ask another person, it's, you gotta a human being here in his mid-30's that's just, that's just barely left his, you know lived his life and we're fixin to execute him, you know...distancing yourself from that, feelings you know, ain't nobody can do that...You have to, you have to you know, or how else are you gonna know?...That's it, you know when you go in there and...with the death packet and wake the inmate up, and uh I mean, are you gonna,

“whose gonna claim your body?” “parents or do you have family?” uh as long as he don’t have any family “what do you want us to do with your body?” You know, uh “what do you want for your last meal?” things like that. Uh when you have to interact, cause there’s no contact between the inmate and the family, none whatsoever once he’s on death row, but, so, even the day of visitation, when we end the visitation, at, at noon, we would transport the inmate you know, mamma would come to me, or a grandmother, “[employment title] I just wanna touch him” you know, that’s the hard part, “Ma’am I can’t letcha” “I just wanna hug him one time” you know that’s when it gets tough. That’s when...(long somber pause and we moved on to the next question).

This closer and more frequent non-routinized interaction with the prisoners undoubtedly has a deep emotional impact on the prison employees very well captured by Sammy above.

Unlike the execution teams, who rarely if ever had prior contact with the inmates undergoing executions, others had worked with the death row inmates throughout their time on death row on through the executions. In these unique situations the roles between the prison workers and the inmates seemed to be strained since honest prison worker/inmate relationships had developed over the course of those years relative to those particular job descriptions. Skylar for example shared:

...uh, it was truly a hands on situation you know, uh where my uh, although I knew the offenders usually, it wasn’t, you know I wasn’t

physically strapping the person down on the gurney or inserting the needles into his arms, it was a totally different thing uh, uh, and I will say this, that probably one of the more interesting things that I had to do during the executions were, I would go over to the death house prior to, well as soon as the, as soon as the offender arrived, they brought him in from, from death row to, to the death house actually in Huntsville, I would go back there and spend however long with the inmate talking to the inmate prior to execution, uh and the only people that did that were actually involved, the warden would do it, the chaplain would do it, uhm members of the tie down team would do it, but I would go back there and uh sit down and have conversations with them, uhm sometimes give them a cigarette, uhm uh on a couple of occasions I went back there and uh sat with them while they ate their final meal uh, and that to me was uh a *strange* thing to do. I remember one offender, speak to me like well there, you know, you knew it would come down to this sooner or later when I'd walk back there, you know, and they took it so, a lot of these people took it really differently. Some of them uh joked with you, some of them were quiet and some intensive you know, some told jokes, uhm, one particular offender uhm, asked me for a favor and I wished I could give him a favor during his last hour of life you know, do what I can for him, he wanted uh, a [type of food not available in the prison], so I ran down to [name of establishment] whatever it was, bought [type of food requested by the

inmate] and we sat back there and ate [type of food requested] together prior to his execution. Crazy.

While this was not the case for all inmates who have undergone capital punishment, the presence of prison employees who have developed personal connections with the inmates while on death row who are not directly involved with the killing portion of the execution process, is important in the overall ritualistic preparation death process for the inmates. As described by Reverend Carroll Picket (2003) whether these particular employees realized it or not, their last visits served to help ease the inmates into a mindset that prepared them, ideally to voluntarily walk to the gurney. As noted before, the voluntary cooperation process is perhaps most vital to the theatrical process because it makes the execution setting more palatable for the prison workers and any witnesses involved and/or present. The participants reported the execution process is most difficult when inmates resist and do not cooperate, which is rare.

This ceremonial role reversal begins on death row and ends after the execution has been completed with the inmates on the gurney. This ceremonial reversal is only visible to the prison employees working directly with the death row inmate. Regular prison employees do not see wardens relaxing their roles with the inmates during perhaps the most emotionally demanding and challenging moments of their work when they are soothing the inmates on the gurney before they signal the executioner to begin the process. Such role changes seem to contradict the idea that higher level officials require a greater adherence to formality and enhanced emotional detachment.

Communicating with the inmates in a more casual manner than experienced while on death row, for example, was a strategy used by all workers to help keep the inmate calm and the overall process more palpable for the prison employees and witnesses. Bailey recalls the complexity of the social interaction involved:

...And I was struck with the matter of factness of the whole thing...I mean they walked him out of there and in he hopped up on that table and the warden, it was a different warden, [Name of warden] was talkin to him about, uhm what he had to eat that day, and he was talkin about eating [type of foods] and said, "I ate [type of food]." He said, "I ain't had [type of food] forever" and the warden started talkin to him about how his grandmother used to make [type of food] and they talked about that for a while and I thought that was, at first I thought, "boy, that's weird" but then I realized what the warden was doing, was just trying to keep this guy calm because while he was sitting there talkin about the [type of food], I was looking at him and I could see the pulse in his neck just beatin a thousand miles an hour, so then I realized he's affected, but he was talkin about [type of food] so the warden was doin his job. And uh, after it was over, you know they tell you, "Do you feel funny?" but the kind of work I was in, especially at the level I was at, I know people say that a lot, if you're okay and if you feel funny let us know, they mean it, but at the same time, there's a lot of that issue of, you're expected to do your job you know.

As Goffman established in his work, role reversal is an important factor in manipulating the social control dynamics of the total institutional settings. The core function of role reversal as explained by Goffman was getting the patients to present a friendlier and more relaxed presentation of self that made the scenery and setting of the total institution friendlier to the eye of both the staff and the visitors. The temporary humanization of patients and inmates at even the smallest levels is very powerful in getting them to conform to some of the most oppressive conditions, including preparation for their own deaths and undergoing executions with little to no resistance or reflections of outright fear and terror as with the practice of capital punishment in Texas.

CONCLUSION

The dramaturgical theory has been applied to prison employees who work with capital punishment. In reviewing stages and their different dimensions we saw that the primary objective of stages and settings is to uphold a thoroughly controlled environment at all possible levels and layers that lie within. In order to understand how the stages surrounding the executions in the prison institution came into being, a historical overview of the total institutions and the paradigm shift from the asylum to the prison infrastructures, as well as the movement of front-stage executions to the backstage was reviewed.

We saw how each setting within the prison is equipped with prevailing definitions that govern social roles, symbolically differentiating all people within through ranked statuses. In first reviewing the settings we were able to identify some of the deep emotional complexities and various limitations associated with the roles

experienced by the participants in this study. The application of the Dramaturgical Theory allows us to see that the heart of the issue of capital punishment far surpasses those individuals most closely involved with the execution process. Aside from the family of inmates and victims, the direct burden of capital punishment may very well be felt most by those who work directly with executions. The full range of possible effects are not yet known or fully understood. More research is needed in this area.

Those who create the laws and policies that govern this practice, the policy makers, are those who are most distant and suffer the least consequences. In order for capital punishment to be in place, from a dramaturgical standpoint, there must be stages set fully equipped with different settings and individuals to fulfill the many roles required to make the event happen. Even with laws in place, there can be no execution if there are no condemned inmates sentenced to death and nobody willing to carry out the executions. The settings and social roles related to capital punishment are manifestations of past institutions, policies, and traditions. The roles are continuously filled because people will continue to commit murder, even by those who never imagined they were capable of such—whether it is homicide punishable by the state or homicide sanctioned by the state.

All participants in this study said that working with executions never crossed their minds when they entered into prison work and it's certainly not a line of work they had ever hoped for. It's not work they are particularly proud of, but it is work that is now a part of them that they carry with them even after retirement—sometimes alone, with little or no support. Those deeply harmed, according to some participants in this study,

are discarded by the state and replaced with new workers without remedy—much like wounded military veterans who have endured irreversible traumas and crippling harms obscenely neglected by the government only to be replaced with new cadets ready to fulfill the ranked static roles operating within.

The social and psychological risks for other individuals carrying out the executions may not be as great or extreme. The coping mechanisms described by some of the participants in this study suggest they have learned to block from their minds thinking about it in ways that lead to moral questioning. Relying on authoritative outlooks (faith in the system, law of the land, etc.) facilitated ease related to any doubts that crept up on occasion. Also placing trust into the appearance of the humaneness of the whole process associated with the appearance of “putting the inmates to sleep” in contrast to other more violent methods, such as the electric chair, gas chamber, or firing squad, was reported as a personal coping strategy for some.

The question remains, however, is with relation to the longevity of these mental strategies and their effectiveness of further question is whether there are any informal resources otherwise available in the event they become inadequate or ineffective. Cohen reminds us that:

Three short years after the introduction of chlorpromazine, Szasz warned of a special danger in using antipsychotics. He noted that when patients were restrained by the use of force (e.g., by a straitjacket) it was difficult for their caretakers to convince themselves that they were acting altogether on behalf of the patients. “The use of drugs,” he claimed,

"removes the safeguards inherent in the guilty feelings of the therapist.

Restraint by chemical means does not make us feel guilty..." (1988: 584).

In the case with the prison workers, while they were still physically restraining the inmates as required by standard protocol, the emphasis on the full voluntary cooperation from the inmates participating in the process mitigated the otherwise negative images associated with force, even though the straps signify something quite different for the prisoner. The use of drugs is effective in masking many things on the surface and aiding in framing the execution setting in ways that are cognitively tranquilizing for those who have to carry them out or witness. For the inmates on the other hand, likely sterilized pseudo-medical setting and the use of chemicals to end their lives brings little comfort or relief. Such a scene is particularly unimaginable for any person who undergoes an execution for a crime in which he or she did not commit—the strongest personal concern expressed by all participants in this study.

But this staged setting coupled with the image of lethal injection simply putting the inmate to sleep serves to, as with the excerpt above, incapacitate natural built-in emotions and instincts that normally cause humans to respond to others who are in distress or life threatening danger. It serves to absolve questions or concerns that are taboo in the prison environment and culture, but otherwise valid in all other human settings. In all reality, these questions and concerns should have been thoroughly addressed before capital punishment was ever reinstated and any person was ever asked to participate in this type of work (Bohte and Meier 2000). The full range of possible effects and consequences the death work has on prison employees are not yet known and

with the prison institution being required to discover them over time with experience is a crude violation of the human rights and ethics of the prison employees.

While Texas holds the title for having carried out the most executions in the nation, California holds the title for having the most people sitting on death row—only because unlike Texas, they do not carry out the death sentences. Beyond the many reasons California has not followed through with the many death sentences, the participants in this study add further reasons on why Texas should not continue with its championship status for carrying out the most executions in the nation. Capital punishment, regardless of how humane it may be dramatized, inevitably creates more victims through having prison employees carry out the many death—even in what experts claim to be the most humane way.

People beyond population of this study who hold pro-capital punishment orientations need to only look to California to see what life in prison for death row inmates looks like. Then contrast that with the lack of negative effects the prison employees in California otherwise would have carried with them had they carried out the numerous executions. Given the number of people sitting on death row in the state, California could have easily mirrored or surpassed Texas' record with their capital punishment practice. While California rarely carries out executions, they have prevented much social harm among both the death row inmates and the prison employees by rarely employing the death penalty.

The California Commission on the Fair Administration of Justice (2008) reported 822 death sentences had been given between the years of 1977 through 2007, though

there were only 670 people representing the total death row inmate population in California at the time this report was published. The differences for the numerical disparity are the result of 38 deaths from natural causes, 14 suicides, 13 executions, and 98 death judgments that have been reversed by the courts and not reinstated on remand.

Critically re-evaluating the death penalty with the prison employees in mind is crucial as their own concerns were directly related to the issues above. Their most expressed concern was the possibility of innocence and the second was the lack of consistency in who is sentenced to death in Texas—the law is not equally applied to all people who commit the same crimes throughout the state. Similar to the death row population in Texas, the 670 death row inmates in California represented in this report were indigent—had California carried through with the death sentences, those executed would have been victims of the many social “isms” covered throughout this dissertation. But in Texas, while most death row inmates also indigent, “Texas does not have a public defender system for indigent defendants, and instead relies upon court-appointed lawyers who likely do not have experience in capital murder defenses or appeals” (Walpin 2013).

And despite the lack of executions taking place in California leaving their capital punishment stage retired, prosecuting attorneys continue to seek the death penalty at the county levels with an average of 32 new death judgments per year that are not likely to be carried out. No matter how the issue is presented or dramatized and how well all of the interrelated roles are performed, capital punishment claims many victims, including the prison workers who carry out the executions—when the death row inmates are actually executed. Whether or not the death penalty should remain on the books just for

the purpose of symbolically satisfying the pro-death penalty constituents while retiring the practice, is another question to ponder. But again, for the time being, the lack of use even with it on the books in California is preventing otherwise potential harms to their employee and inmate populations.

CHAPTER VI
MARQUART, EKLAND-OLSEN, AND SORENSEN'S IMPLICIT THEORY OF
RACIAL AND ETHNIC RELATIONS, AND THE PRATICE OF CAPITAL
PUNISHMENT

BRIEF INTRODUCTION TO THE IMPLICIT THEORY OF RACIAL AND ETHNIC
RELATIONS

James W. Marquart and colleagues are the leading scholars on capital punishment and the prison system in the State of Texas. Because this dissertation is focused on capital punishment in Texas, this chapter will be devoted to the theoretical application of their implicit theory of racial and ethnic relations to the data collected for this study. Marquart's authority on the subject matter is vast as he was a correctional officer for the Eastham Unit during the early 80's when TDC was undergoing the massive prison reform spurred by the *Ruiz v Estelle* (1980) case. In addition, much of his work has focused on the effects of prison reform on the Texas prison system, capital punishment, and desegregation of the Texas prisons. Methodologically, his work reflects a combination of ethnographic and historical and comparative methodologies. More specifically to capital punishment, Marquart, Ekland-Olson, and Sorenson (1994) apply their theory of inclusion/exclusion social practices to explain why the practice of capital punishment continues into contemporary times and how the criminal justice institution is a reflection of the norms and values of the larger society.

In the U.S., capital punishment has been inextricably linked to racism throughout history, a legacy that continues on into current times (Perkinson 2010; Alexander 2010; Marquart, Ekland-Olson, and Sorensen 1994; Tolnay and Beck 1992; Radelet 1989). This correlation between racism and capital punishment is difficult to see if one has not been versed in studying systemic and institutional racism in U.S. society. To the average person, particularly if white, because of white privilege racism is typically viewed as actions that operate at individual levels mainly among bigots with assumptions that racism is a thing of the past (LaDuke 2005; Feagin, Vera, and Batur 2001; Rothenberg 2000; Lopez 1996; Jordan 1968).

But furthermore, theories and ideologies that argue racism is a thing of the past coupled with a lack of understanding of basic statistics can serve to distort existing perceptions and the conclusions about capital punishment. For example, the relationship between racism and capital punishment can easily be seen by most people where, without taking into consideration any other factors, the raw numbers representing electrocution by race are grossly disparate. For example, regarding the electric chair 229 out of the 361 total people who were executed between the years of 1923-1964 in Texas were black (108 white and 23 Mexican—but often, Mexicans were categorized as white) (Marquart, Ekland-Olsen, and Sorensen year) and becomes more apparent with the lynching practices that disproportionately targeted blacks in earlier times (Tolnay and Beck 1992; Jordan 1968).

Another way of examining the issue might be to imagine the racial and ethnic relations in U.S. society reversed where the majority of U.S. population was black

operating under a black dominated very oppressive government with less than 13% of the population was white. In such a situation then it is likely the high number of blacks executed in comparison to other groups might not raise alarm, at least with charges of racism and capital punishment towards the Black communities. But in contrast, questions of racism towards whites and other groups might be raised if the disproportionately the number of people sitting on death row and undergoing executions were white and members of non-black groups. However, in U.S. society, that is not the case.

In this study, the participants unanimously argued that racism does not play a role in capital punishment as carried out in Texas. They reasoned based on estimates from their own experiences and what the prison at the time had implied, despite the high number of executions that have been carried out, the rates of executions by race have been approximately equal with 1/3rd white, 1/3 black, 1/3rd Latino and the remaining 1% other. These basic estimates were roughly correct at the time the data was collected for this study, so the participants were reporting their understandings as accurately as possible and providing their honest interpretations of those figures as they understood them at that time. If it were the case that the foundation of the U.S. were numerically equally built by these particular groups while wielding equivalent power and representation, then such an argument might be entertained as possibly valid. But that simply is not the case; a point we will revisit later in this chapter. The larger point here is that it can be very difficult for some to recognize racism in operation within their own

environments, and in this case for those who had worked most closely with capital punishment.

Beyond racism, this chapter is going to expand Marquart et al.'s theory to also address association between participant's religious beliefs and political values and their views of capital punishment. This research inquired about perceptions of racism, religion, and political orientations in order to better understand how the participants rationalized their participation in the death work. More specifically, this study sought to see whether their religious and political perceptions, and their views on racism as related to capital punishment and the larger criminal justice system had changed across time. In all, this chapter will provide an overview of how capital punishment is inherently racist and classist in the U.S. and demonstrate how the employment of limited theories, coupled with the lack of statistical understanding, can serve to create the illusion for some, that the practice of capital punishment is not racist in U.S. society. Further, it will examine the role religious beliefs and political values have played in either upholding or modifying perceptions and feelings regarding the death penalty.

HISTORY OF CAPITAL PUNISHMENT AND THEORETICAL FRAMEWORK FOR MARQUART, EKLAND-OLSON, AND SORENSEN'S THEORY

Capital punishment, having a long legacy in human history, was a practice deeply engrained in Western society that had migrated to North America with the European colonizers (Johnson 2006; Marquart, Eklund-Olson, and Sorensen 1994; Stannard 1993; Duffee 1989). From extermination of American Indian societies (Stannard 1993) to state sanctioned vigilante style lynching of the south and other

regions (Marquart et al. 1994; Tolnay and Beck 1995), to capital punishment in current times, the death penalty continues to be a practice that is decided and sanctioned by the state or federal government.

In contrast to earlier times, during the feudal system, for example, executions as punishments were disproportionately administered primarily based on differences in stratified economic and social hierarchies (Rusche and Kirchheimer 1997) rather than by race and ethnicity. The historical emphasis on stratification rather than racial hierarchies was because societies were more racially and ethnically homogeneous (Diamond 1995). Thus, the death penalty did not become racist until different groups began migrate (both forced and voluntary) into other territories and colonize the lands and the peoples (Marquart, Ekland-Olson, and Sorensen 1994). For centuries capital punishment was practiced through retributive or *lex talionis* (eye for an eye) ideologies undergirded with deterrent rationales. Lacking rehabilitative philosophies, punishment as revenge was the goal of the establishment since the belief system held that others will avoid the same criminal acts if they are exposed to the fatal consequences endured by the convicted. Capital punishment in current times seems to be largely practiced out of the retribution ideology minus the deterrence theory as it has been widely accepted that capital punishment does not serve as an effective deterrent (Stolzenberg and D'Alessio 2004; Paredes 1993; Bailey 1990).

Providing a definition of punishment from a sociological-historical perspective, Speirenburg explains the key aspect of a criminal justice system is that there is a relationship between power and of subordination in place and, “in common parlance the

term ‘punishment’ is never used unless the person upon whom the penalty is inflicted is clearly subordinate to the one imposing the penal act.” (1997: 3). Power differentials matter and Speirenborg’s (1994) point is a key aspect of Marquart’s et al.’s theory where:

...a concentration of executions in a single region of the country...is found in a cultural tradition of exclusion. Before it is possible to justify the termination of life, whether in the context of capital punishment, war or abortion, it is morally necessary to define that life as lying outside the protective boundaries of the community. Such exclusion was the basic element of slavery. As the exclusion of slavery moved toward a more inclusive definition of the human community, several trends became apparent. Illegal lynching gave way to state sanctioned executions (p. x-xi).

Perceptions of religiosity and interpretations of the Biblical scriptures vary greatly with regard to public policy and fundamental conceptions of fairness and equality. With regard to punishment and exclusion, those who are most characterized by stereotypes or defined as “criminal” are those who have traditionally been victims of social exclusion in the U.S. (genocide, slavery, Jim Crow, and other forms of exploitation) even though other crimes, white collar crimes, for example, committed disproportionately by wealthier white individuals that victimize exponentially more people carry far less retributive and penal consequences (Payne 2013; Reiman and Leighton 2009; Waquant 2005). Such crimes, even though they can and do result in

things as homelessness, bankruptcy, hunger, suicide, displaced families and children on very large scales, go relatively unpunished. One only needs to refer to the Wall Street bail out (Hansen and Movahedi 2010; Ghosh 1998) and Enron (McBarnet 2006) in comparison to the billions of dollars annually spent in the criminal justice system to catch small level thieves and people engaging in victimless crimes. The criminal justice system invests little financial resources into arresting white collar criminals and enterprises (Reiman and Leighton 2009; Ivancevich, Duening, Gilbert and Konopaske 2003). Those who are most excluded socially are systematically targeted for punishment, including lethal punishments that members of dominant groups are largely exempt from, even when committing the same or more socially harmful crimes (Alexander 2012).

A question, however, is how societal exclusion and the neglect that results in societal structures, such as Jim Crow or the New Jim Crow, differ from formally state sanctioned punishment designed to correct individuals and society? With Marquart et al.'s definition of social exclusion, any type of social exclusion is equated with some form of punishment. Certainly many people would not consider things as abortion or perhaps war as punishments in the traditional sense of "punishment" where such acts are believed to correct behavior—personal and group interpretations of conceptions of punishment will vary greatly⁴. But for the purposes of this chapter, the concept of

⁴ Punishment as associated with "war" within the context of Marquart et al.'s work is meant to refer to vulnerable human populations that are excluded from the inclusionary definitions of what it means to be fully human. In most wars, civilians and other casualties fall victim to being defined as "the other" where the attacking nation dehumanizes members of the target nation as enemies. This process of redefining other populations allows for the military and attacking nation to condone acts of brutality through removing such people from the protective boundaries of social inclusion at the national levels. Such examples within this context can be seen in the documentary *My Lei* (Goodman 2012).

punishment is meant to refer to anything that serves to socially exclude some people and general groups as the power makers are those who decide what the rules are and create laws and policies that determine the differential social consequences for all members of a shared society. Likely many whites during the slave era may not have considered slavery a “punishment” *per se*, but rather a terrible economic institution at most. With Marquart et al.’s definition and rationale, exclusionary practices of any form are punishment oriented since the acts of violence, abuse, neglect, and other mistreatments would not be tolerated and acceptable for individuals who enjoy the full rights and privileges embedded in the inclusionary societal statuses.

The Systemic Legacy of Social Exclusion: Lethal Economics and Immoral Acquisition of Wealth—Racism and Capital Punishment in Texas

From the very beginnings of American history up to current times, people have been made outsiders and subordinates through socially exclusionary statuses. The predetermined social assignments are based on socially constructed definitions of race, gender, and economically stratified social positions. When individuals and groups are bound to these inferior societal positions, they are blocked from full participation in society. The social psychological categories of people were viewed as colonization expanded throughout different nations changed from stratifying people by class to socially constructed notions of race for the purposes of economic development and profits through the practice of slavery and land theft in North America and the U.S. (Feagin 2006; LaDuke 2005; Diamond 1995; Stannard 1993; Jordan 1968). Inevitably

notions of “the other” serving to exclude groups emerged based on skin color was instrumental in legitimating predatory ethics and brutal exploitation (Feagin 2006).

Conceptions of “race” paved the way for racism to emerge and become a fundamental component of the foundation of the colonizing social structures and institutions of the U.S., resulting in the massive genocide of North American Indian populations (LaDuke 2005; Diamond 1995; Stannard 1993). They also spurred the Atlantic slave trade resulting great harm to large numbers of people who died and unimaginable African exploitation (Feagin 2006; Blassingame 1979; Jordan 1968; Spears 1960), the exploitations of Asians (Nokes 2009), Latinos particularly in the border state territories (Yancey 2003; Lopez 1996). Racist constructs were also applied to light skinned immigrants from various parts of Europe such as the Irish who were not considered white when they first arrived (Ignatiev 1996), Jewish (Brodkin 1999), and Italian (Roediger 2005). Certainly over time some groups, such as the Irish, Italian, and most of the Jewish, would come to be assimilated into the generic racialized category of “white” and enjoy the privileges bestowed by the inclusionary dominant group status. The Jewish, however, along with Asians have undoubtedly been ascribed with the equally damaging “model minority” status or stereotype, with much myth involved (Chou and Feagin 2008; Brodtkin 1999). Others have noted the token status of women and blacks (Fairhurst and Snavely 1983) and the occasional term “honorary whites” reserved for people of color, including blacks, who have largely been accepted into white society as “exceptions to their groups” whom continue to confront the glass ceiling and other social limitations (Rojas 2008; Tuan 1999).

Through the process of colonization and westward expansion, dominant values and beliefs of the Anglo-Saxon have been forced into the pre-existing, yet surviving Latino and indigenous civilizations. Their values associated with capital punishment were inevitably embedded into the social fabric of U.S. society (LaDuke 2005; Stannard 1993). Furthermore, because religion has been historically a key institution in legitimating murder and genocide, Stannard (1993) goes back to the Spanish rule that ordered the extermination of American Indian populations in the North America continent throughout the century prior to the immigration of White Europeans⁵. The Spanish rule overarching the American Indian genocide was not based so much on racism or skin color per se as it was on ethnocentric and xenophobic religious ideologies rooted into the laws that legitimated and morally supported the genocide. Through their reading of the *requerimiento*, “In this perverse way, the invasion and destruction of what many, including Columbus, had thought was a heaven on earth began... the proclamation was merely a legalistic rationale for a fanatically religious and fanatically juridical and fanatically brutal people to justify a holocaust” (Stannard 1993: 66). This exclusionary practice was based on religion rather than the racialized and racist conceptions most popularly associated with the white European Enlightenment thinkers. The key difference between the Spanish and white European colonizers is that the Spanish believed that American Indian populations could move away from “devil like” savagery and become more “human like” and “civilized” if they converted to

⁵ It should be noted that not all lighter skinned Europeans sought to assimilate into the dominant Anglo-Saxon white group and some groups resisted as with the Amish and earlier Amana Colonies in the State of Iowa for example.

Christianity and assimilated into the Spanish culture (Stannard 1991). In this respect, at least with relation to North American Indian societies, the Spanish did not discriminate based on color as much as they did on cultural practices and religious beliefs.

With regard to African slavery, the practice of social exclusion may be somewhat more characteristic of other white European colonizers. While the Spanish imported slaves from Africa and enslaved American Indians during the 16th century, they had largely abolished the practice shortly before other White Europeans began to immigrate into North America (Spears 1960)⁶. These two features, possibility with assimilation based on religious conversion and abolishing the practice, seem to indicate that racism was not a core component of their exclusionary belief system as it was for the colonizing white Europeans. In terms of justifying the genocide and slavery they had practiced like the white Europeans, it seems it was rather religion—their religious beliefs were core in the justification and legitimation of corporal punishment, death, and even genocide.

⁶ Literature could not be found that addresses the Spanish perception of Africans. Clearly Africans were considered inferior since they were enslaved in astonishing numbers. But there is not any literature that could be found that discusses whether or not the Spanish had felt people of African ancestry could, like the American Indian peoples, become “fully human” if they convert to Christianity and assimilate into Spanish society. It appears that like the African Americans in the United States, they have experienced a very similar legacy of social exclusion since the cultural recognition and visibility of Latinos with African ancestry is missing in this socially constructed pan ethnic category. Because Latinos do have a gradient that places the lightest skin at the top with the darkest at the bottom, the invisibility of Latina/o’s with African ancestry may reflect the trend of thinking of people in racialized terms spurred by the early white European colonizers who classified the Hispanics as inferior based on social constructed conceptions of race. The stronger preservation of African culture by Latina/o’s of African descent in Latin nations seems to indicate the level of social exclusion they have faced as groups, much like American Indian and Chinese societies in the U.S., where it was the element of being socially excluded that allowed them to preserve aspects of their cultures and histories in contrast to groups who greater interaction and even direct social control from the dominant society.

From Religious to Racialized Exclusion

The racism that developed based on differential treatment of people by color rather than class and religion migrated into North America with the white European settlers, through the enlightenment era that had simultaneously spawned, placing people into a socially constructed vertical racialized hierarchy with the lightest skin tone at the top and those with the darkest at the bottom (Feagin 2006; Marquart, Eklund-Olsen, and Sorensen 1994; Jordan 1968). Key here with relation to Marquart's et al.'s theory of racism, is that the enlightenment era served to replace previously existing taken-for-granted metaphysical deterministic philosophies of human behavior with freewill philosophies. This inverted metaphysical transition heavily influenced the way criminality and criminals would be legally framed. They explain that this significant transformation in the foundation of the dominant metaphysical belief system served to heavily influence the reformation of the traditional European criminal justice system based on determinist to freewill ideology.

While the eugenics ideologies at the time were operating on deterministic assumptions of biological superiority and inferiority in psychiatric asylums justifying practices as sterilization, the seemingly cutting edge freewill ideology infiltrated the criminal justice institution while ignoring the racist and classist structural social conditions, plaguing communities of color. Under a different philosophy operating in concert with determinism, the freewill ideology broadened behaviors and actions that would come to be defined as criminal. Freewill advocates were arguing that people could be deterred from committing crime since engaging in criminal behavior involves

chosen behavior. This significant modification in philosophical thinking led to new ways people who were labeled deviant would be tracked into the criminal justice institution, and how they would come to be treated.

In contrast to the coverage in Chapter III where it was argued asylums were the places that mostly housed undesirable whites, the question of where then were the blacks and people of color if it is the case that total institutions disproportionately housed people of color? This question is answered with Marquart et al.'s theory social exclusion addressing the institutions of slavery and Jim Crow and then later, disproportionately imprisoned in post-reform or what has since been termed, "The New Jim Crow." During the pre-reform eras explicit exclusionary racist practices that were terror-based were enough to keep blacks and other surviving and/or existing groups of color "in place" or even voluntarily segregated from white society to significant degrees.

IMPLICIT THEORY OF RACISM AND CAPITAL PUNISHMENT

Much literature on the history of criminal justice and racial and ethnic relations focuses on demographical patterns that involve larger units of analysis and draw comparisons between groups at the national and state levels. As noted above, Tolnay and Beck's (1995) in-depth study on lynching in the South between the years of 1882-1930 specifically focused on lynching in the Southern states because that is where the practice was most regionally concentrated, overwhelmingly by white Southern mobs rather than by existing judicial authorities. What complicates this practice is that legal officials were often members of the lynch mobs. Their direct participation basically legalized the terror and fatalities perpetuated against the intended victims and their immediate communities.

While lynching was the primary method of capital punishment by the states during these times, Marquart et al. (1998) poignantly reminds us that, "...the line between legal and illegal hangings was often razor-thin" (p. 2).

In agreement with Tolnay and Beck's findings on lynching in the south, the data for Texas reveals that the overwhelming majority of victims who were lynched were Black males. Since then, as the data has shown, the criminal justice institution has continued to disproportionately imprison and execute people of color, most notably, Black males. As highlighted in Chapter II, Marquart et al.'s work is limited to the State of Texas whereby they incorporate the use of mixed methodology involving ethnographical and historical comparative analysis. They show how the development of the formal slave institution and penal system in the U.S. was an integral part of the colonization process of what is now Texas territory

Consequently, institutional racism has been deeply embedded in Texas and its criminal justice system and still persists into contemporary times. While the State of Texas is similar to other southern states in a variety of ways, such as maintaining a brutal slave system and partaking in the Civil War, unique from the other states is that it fought its own war against Mexico and existed as its own country for a short period of time before joining the U.S. What makes Texas further distinct from all other states, at least according to popular belief held by many Texans, is that it is the only state in the nation that has the legal right secede if it so wished despite the lack of such stipulations in Federal law that would allow this. Texas has a reputation for its brutality, disconcerting legal system, clinging tightly to its racist legacies with great pride. In comparison to

other states, Texas has no apologies for its outlier status as leading first in the nation for the record number of executions it has carried out. Through all of these features, with great pride, Texas has preserved its brutal reputation and racist legacies (Perkinson 2010; Marquart, Ekland-Olson and Sorensen 1994).

Racism and the Death Penalty in Texas

Maintaining racism through the cultural practice of social exclusion

The heart of Marquart's work regarding the legal system and capital punishment is the cultural practice of social exclusion controlled and maintained by the dominant group in America. Groups tend to engage in homophily, and in the U.S. they tend to gravitate to groups most familiar to them based on race and class. Here Marquart et al. place emphasis on power being held by the dominant white group because it was through their own social design and engineering of the U.S. nation that white males designated the highest levels of privilege and power upon themselves. Their biased distribution of power and elite authority permanently secured their ranks at the top of the American social hierarchy with all other groups beneath them. They defined who would be included as full participating members of U.S. society.

The logic of exclusion, which was based on gender, race, and class, resulted in women, people not defined as white, and the poor being blocked from enjoying the privileges protections of full citizenship. Legally and explicitly, Blacks were excluded from citizenship as noted in the U.S. Constitution. Marquart et al.(1994), begin with the practice of lynching to explain how the logic of exclusion operates:

The source of this southern concentration of both illegal lynchings and state-sanctioned executions is rooted in a cultural readiness to engage in what we call a logic of exclusion. Across time and location slavery, as a social system, depends on the beliefs and practices that place some person in the category apart, separate from rights and duties otherwise applied...when we go to war, when we advocate abortion, when we legitimize capital punishment, when we tolerate lynching, we engage in a kind of logic of exclusion whereby the life being terminated is placed outside the security of the “bounded” community. As Justice Brennan wrote in *Furman v. Georgia*, “the calculated killing of a human being by the State involves by its very nature, a denial of the executed person’s humanity” (p. 17).

Furthermore, it is important to emphasize the exclusionary component of Marquart et al.’s theory with relation to maintaining the racial hierarchy through the practice of slavery, as it was the slave institution that gave rise to the eventual development of the prison system in the State of Texas.

Prior to the conclusion of the Civil War, Marquart (2009) notes in his timeline on the Texas penal system the Texas legislature passed the “Act to Establish a State Penitentiary” in 1849 whereby the Huntsville Walls Unit was constructed and accepted its first inmate on October 1 and, “Prior to 1865 and the end of the Civil War, only the most serious white criminals were sent to the penitentiary. Blacks remained on slave plantations” (p. xvi). It was when Blacks attained citizenship through the abolishment of

slavery that incarceration rates for Blacks began to grow in numbers, where they would lose that citizenship and be assigned back in to slave labor with plantation penal system maintained by the prison system. The practice of inmates being used for free plantation labor to maximize both private and state level profits would keep the slave institution alive and well. Discussion on American Indian and Mexican American populations of this time is missing from their analysis, though clearly these two populations were excluded through extermination, segregation, annexation, and colonization.

Colonization, Genocide, Annexation, and Slavery

The slave institution had spread into the territory of what was Mexico at the time and is now currently Texas, and was continuously practiced despite the fact that slavery was illegal in Mexico. The practice of slavery was a significant factor of the U.S. Mexican war (Diamond 1995; Stannard 1993). Certainly following the war, along with the Civil War, Mexican populations were socially excluded in their own homeland by white society and also experienced significant terror from lynch mobs with 597 known lynchings taking place during the post-reconstruction and Jim Crow eras (Delgado 2009). Mexican American communities were largely segregated from both black and white communities during these years.

The design of the slave system as practiced in the U.S. served to maintain the inclusion/exclusion social practices even it meant a more physically and geographically integrated society. Thus, Blacks and whites were more psychologically segregated but physically integrated geographically, while Mexican Americans were both psychologically and geographically segregated. By more “highly” integrated, it is meant

that slaves and house servants often lived on the same property in separate quarters and not physically segregated as with the Jim Crow era. Physical segregation for Blacks began to mirror Mexican American populations with the through the American apartheid, and of course post-apartheid where legal segregation is prohibited by law yet solidified through *de facto* segregation.

In terms of Marquart et al.'s theory, even with society being more heterogeneous during slave times, through their status as slaves (non-person) they were housed separately and their very existence and survival was at the mercy of the slave owners. The social exclusion status allowed, as Jordan (1968) noted, slave owners to kill their slaves and the states refused to recognize this offense as "murder," let alone a criminal act. This denial of humanity by definition reduced their existence to property whereby definition in every respect, were treated as such. If somebody else other than the legal owner of slaves severely harmed them or killed them, the situation was treated as civil rather than criminal harm where they would have to pay restitution to the slave owner for his "lost property."

Further, to maximize the social exclusion in this system, bonding and any other type of social solidarity was prevented to minimize revolts from emerging within the enslaved groups. Slave owners prevented enslaved individuals from having any type of familial bonds with their blood kin and others within enslaved groups through selling offspring when they were young to other slave owners. The social exclusion alienated their natural humanity by blocking social roles allowing birth mothers to be mothers to their natural offspring and the biological fathers to be fathers to their own children.

Marriage was outlawed for slaves disrupting relationships that developed between men and women by selling them to different slave owners when even the slightest bonding became noticeable. To further emphasize their exclusionary status, they were fed the scraps of the foods eaten by their white owners and provided minimal clothing and very small living quarters. The slave institution was designed to arrest the development of personal identity, principally with any privileges and securities associated with the dominant group. In these ways, this totalitarian institution served to brutally control the enslaved and habitually reinforce the “othering” process of those who were enslaved. The fundamental inhumanness of the slave system cannot be emphasized enough (Jordan 1968; Spears 1960).

We have reviewed how the slave institution served to reinforce social exclusion in a very highly integrated society where living proximities between racial groups were very close. Abolishing slavery did not by any means integrate blacks into white society as equal citizens. W.E.B. Du Bois (1903), even as the first Black doctoral graduate of Harvard University, captures the pains of being Black within the free world during reconstruction times. With the birth of his first child, there were no Black physicians available to provide assistance for his wife during the labor and delivery, due to Blacks being blocked from education. Qualified white physicians were available within a reasonable distance, but had refused to provide these services because of race. His social status as a Ph.D. was not recognized demonstrating how deeply embedded racism was and how committed white society was to maintaining their exclusionary social practices. The refusal of white doctors offering their assistance because of skin color resulted in

the death of their son shortly after birth. Du Bois suggested the problem of the twentieth-century was the colorline.

While the abolishment of slavery was no doubt a significant achievement for America, the quick transition into the racial apartheid would prove to carry on the legacy of social exclusion for Black communities. Their legally de jure exclusionary status forbade Blacks to live among and marry white people. They were legally excluded from white educational facilities thus preventing Blacks from attaining opportunities to enter into professions, such as law enforcement and the medical field that could be used to empower and enhance the overall quality of life for both their own immediate communities and Black population as a whole. As a group they were blocked from being shielded from the effects and attributes of poverty, those that are often most criminalized by dominant society (Reiman 2006; Shapiro 2005).

Social Exclusion through Jim Crow and White Privileged Affirmative Action

Under Jim Crow the levels of social exclusion deprived Black society from opportunities that would/could have otherwise provided upward mobility, the acquisition of cultural capital, and accumulation of wealth members of the dominant group often took for granted. As highlighted by the literature about the Jim Crow institution, there was nothing equal about the “separate but equal” clause. In fact, it turned into an era not only where whites were the inheritors and beneficiaries of privilege and wealth generated by the earlier slave institution, their benefit increased thanks to affirmative action policies of the twentieth century. Franklin D. Roosevelt’s New Deal Policies throughout the early to mid-1900’s increased the concentration of wealth and cultural

capital among whites while the conditions of the Black communities remained poverty stricken at dangerous levels (Katznelson 2006; Shapiro 2005). The notion of “separate but equal” had little to do with the quality of the “equal” side of Black society, rather it served as a catalyst to insure Black society and other groups of color would be socially excluded.

Beyond the political system, other industries reinforced the racialized hierarchy that defined groups of color as inferior to whites, and therefore, promoting the cognitive social exclusion as well. Hollywood and the film industry was a leading culprit by generating films that romanticized slavery as with, “Gone with the Wind” and old Cowboy and Indian western films that glorified the colonization and frontier life taking place with westward expansion. In more recent film history American Indian genocide has been romanticized with films as, “Last of Mohicans” and with Walt Disney cartoons (Vera and Gordon 2003). Rogin (1998) illustrates the degree of exclusion Blacks experienced as in Hollywood entertainment; whites did minstrel acts where they would dress up in Blackface and reinforce negative stereotypes of Black people. When Blacks were invited to feature in the films, they were hyper-stereotypical and subordinate in nature in a manner that reinforced white racist stereotypes. Examples of stereotypes movie characters here include the mammy, jezebel, and Uncle Tom. While the film industry could have changed society through transforming these stereotypes into positive characters and scripts, instead Blacks were grossly undermined and exploited. Many different white dominated institutions and industries disseminated racism among one another cementing these legacies tightly in the national foundation.

As outlined above, a multitude of social dynamics and forces have operated in concert to firmly set in place mechanisms that exclude Blacks and other groups of color, as well as some whites, from dominant white society after slavery was abolished and well on through the Jim Crow era. But in Marquart et al.'s work, in emphasizing the "social exclusion feature" of their theory, even as social structures are radically modified and apparently reformed, only fabrications of change appear that temporarily lead many to conclude racist institutions and racism itself have been abolished. In demonstrating how such illusions operate, Marquart et al. focus on the prison system.

As noted above, during the pre-prison days blacks were enslaved and majority of whites who broke the law were sent to prisons. During this time prisons were much smaller and not yet bureaucracies. After slavery was abolished, two things happened simultaneously. The first is there was an increased number of hangings executed by both legal authorities and lynch mobs (Marquart, Ekland-Olson, and Sorenson 1996; Tolnay and Beck 1992) Second, there was the rise of prison labor in both industrialized and plantation settings. Prison labor served to carry on the legacy of slavery (Perkinson 2010; Young 2000). Because of legal segregation, Blacks were still not sent to prisons in enormous numbers but this began to increase significantly over the next century. The rise of a massive prison infrastructure emerged with the dismantling of the racial apartheid. Nonetheless, the U.S. legacy of profiting from the labor and physical bodies of Blacks and other oppressed groups continued and the prison system transformed into a multi-billion profit making industry paid for by taxes that greatly increased the wealth of a few whites (Alexander 2012; Perkinson 2010; Reiman 2006).

Convict Labor and the Slave Tradition

Prior to rise of the current penal system, during the earlier years the prisons systems in Texas and other southern states took on more of a plantation like character rather than locked-down cell architectural type buildings (Perkinson 2010; Marquart 2009; Marquart, Ekland-Olson, and Sorenson 1996). Even though slavery had been abolished, the practice was transferred to the prison system where inmates would live in very small quarters overseen by few correctional officers who ruled with iron fists. Throughout this time, and for decades to come the majority of the prisoners were assigned to work out in the plantation fields in brutal conditions from sun rise to sun down. The inmates were segregated in virtually every aspect of their lives from the prison cells to plantation work. According to Jach (2005):

In 1871, the Texas legislature leased the entire prison system, for a flat rate, to the Galveston-area business group, Ward, Dewey, and Company, of which Nathan Patton was one of the principal owners. This lease was a disaster of huge proportion. The escape and death rates were extremely high. In 1876 alone, approximately 300 of 1,723 convicts escaped. The death rate was even more shocking. One hundred and nine died from disease, mostly malaria. Guards killed twenty-eight, and even more troubling, 182 were classified as missing (pp. 54-55).

The use of inmates for convict labor has minimized over the last century. Thus, the number of prison farms has reduced significantly where in 2005 the Bureau of Justice Statistics reported 298 prison facilities throughout the nation still use convict labor,

which was a 12% drop from 1990 (Lybarger n.d.). In Texas to some degree that trend was reflected in 2011 where, “The Central Unit, the first state prison in Texas history to close, is the second oldest in the state corrections system...It first opened in 1878 as a sugar-cane plantation where convicts were leased to companies, including Imperial Sugar, to work the fields” and “that the coastal plains southwest of Houston, where prison plantation farms once stretched as far as the eye could see, are quickly becoming a different place” (Ward 2011).

The convict labor used for agriculture has not been cut back due to the prison reform of the 1980’s or changed social values that find the brutal conditions of prison farms immoral. The decrease in demand for inmates carrying out agricultural work over the last several decades is due to the increase of “highly mechanized ‘agri-business’” of the 1970’s where machinery is more efficient than manual field work (Winters 2013). Yet even with machinery replacing the need for human bodies to do the same work, there is still a demand for workers in the agricultural industry. For many years undocumented populations have supplied the businesses with low pay labor, but some companies have requested to obtain the same work for even cheaper with convicts. More recently using convict labor has been posed as a solution to the undocumented labor issues, yet Reutter (2012) points out, “Of course, it is somewhat ironic that government officials are offering prisoners – who have been convicted of committing illegal acts – as a replacement for the illegal immigrants who typically perform migrant farm work.”

Historically prisoners have not been paid for their work, though the fruits of their labor resulted in profits for the prison system and historically, the wealthy land owners

who relied on “lease” prisoners to harvest their crops. This plantation system stayed in place throughout the early 90’s and still continues on into current times, though has come to include female inmates working in in the fields (Perkinson 2010; Marquart 2009). Currently the majority of inmates do not work on plantations. In Texas, while on a much smaller scale, has carried on with the unbroken tradition of using convict labor for agricultural work in Texas as Turner (2012) explains:

The corrections system has been about inmate work almost from its beginning. The first Texas prison, the Walls Unit in Huntsville, opened its doors in 1849. By 1853, it had been equipped with textile machinery on which inmates processed 500 bales of cotton and 6,000 pounds of wool each year. Textile operations remain a big part of prison jobs today. Inmates grow and harvest cotton, then spin and weave it into fabric for use in prison clothing, which they sew. Prisoners each month make 110,000 towels, 120,000 pairs of socks, 85,000 shirts and pants, and 75,000 pairs of underwear.

Historically, while some white inmates were assigned to work in the fields, Black and Latino inmates have consistently disproportionately represented the plantation work in Texas, whereas whites were disproportionately assigned to work in other areas, such as landscaping the prison grounds and providing upkeep of the surrounding town of Huntsville. In current times the Texas prisons employ inmates in various other sectors as well from making license plates to lower level computer maintenance (Turner 2012).

Prison reform...from de jure exclusion to de facto exclusion

As noted above, with the downfall of racial-apartheid coupled with new laws designed to disproportionately incarcerate people of color and the poor, from the 1980's on the new prison complexes was designed to house larger numbers of inmates in-doors (Alexander 2010; Perkinson 2010; Marquart 2009; Marquart, Ekland-Olson, and Sorensen 1996). In Texas, despite desegregation the prisons remained segregated through the 90's (Marquart 2009) and simultaneously as the prison reforms were put into place coupled with privatization, the prisons were filled up as quickly as they were built (Perkinson 2010; Marquart 2009; Marquart, Ekland-Olson, and Sorensen 1996). Prior to pre-reform, in addition to the plantation operations, the former prison system in Texas maximized their profits by operating out of the "BT" (building tender) or trustee system. Under this system few correctional officers were necessary to run the prison because hardened criminals were often assigned to maintain social order in their assigned sections of prison. Little direct interaction between the prison guards and lower level inmates took place as the trustees served as the institutional buffers between the two populations.

The prison reform of the 1980's dismantled the BT system and forced the prisons to hire prison guards to replace the BT's. The reform resulted not only in great social disruption inside the prison system, but increased costs for the prison system in general (Marquart 1986; Marquart and Crouch 1984). Plantation style slavery simultaneously continued in the prison system serving to primarily preserve the symbolic character and actual practice of slavery firmly in place. The social exclusionary practice of *de jure*

segregation transformed into *de facto* segregation during post-Jim Crow where the rise of a prison empire championed the social exclusion of Blacks and other socially undesirable groups and/or individuals through mass incarceration and related implications with the criminal justice system (Alexander 2010; Perkinson 2010; Reiman 2006). The cost of the systemic, socially exclusionary racist practices has been high for the nation and the victims while economically profited those at the top. This sums up Marquart et al.'s theory of exclusion and the logic behind it.

Racism Alive and Well? Or a Thing of the Past?

While the literature has demonstrated racism is alive and well, one of the questions asked to the participants in this study was on whether or not they felt racism continued to be an ongoing problem in U.S. society. This question was important because in current times there is still the general widespread belief that racism is a thing of the past (Alexander 2012; Wise 2010; Bonilla-Silva 2009) and this is even more so the case with the two-term President Obama in office (Harvey-Wingfield and Feagin 2012; Wise 2009). But the question is also of importance because of the geographical location where the participants were employed, as well as the history associated with Texas and capital punishment in the state.

In comparison to other regions, racism is very overt in Texas, ranging from its unapologetic legal system to its educational institutions where many of the statues atop the campus pedestals were slave owners, colonizers, and/or members of the Ku Klux Klan. The racist state character and brutal history is widely celebrated with pride and an emphasis on loyalty to traditions. Inquiry about racism is important because institutions

as with the military, law enforcement, and unions, that functions through a rank and file system often operate under color-blind ideology that holds firmly everybody is equal. Would the participants in this study reflect the same sentiments? While the participants in this study unanimously agreed racism is still a social problem in contemporary society, they equally unanimously felt it was unrelated to capital punishment as carried out in Texas.

We will visit this further, but first, we will address their perceptions of politics and religion, as through human values and morals, these two institutional features are often directly correlated with racism and other forms of social inequality. Often through personal identification and group cohesion both, in-group and out-group dynamics are created and maintained by religious and political institutions. They can serve to legitimate institutions of inequality, or as with the rich tradition of the Black Church and Liberation Theology, work to challenge them (Emerson and Smith 2011; Garrow 2004; Morris 1986).

The participants unanimously agreed with the assertion that racism still exists in U.S. society. Most of the participants in this study lived during the Jim Crow apartheid and reminisced on how things have changed, but held racism is still a problem in the larger society—even with a Black president in office. Some shared what it was like to be black or white during Jim Crow. Being raised in segregation, they recall the signs that said things as, “Coloreds over Here” and “Colored Fountain” and the national climate while traveling throughout different parts of the country when the race riots were taking place. Most of them were raised in in Texas during segregation, with the exception of a

few participants who had either migrated into Texas from other states or had been raised on military bases. Traveling with their parents gave these non-Texans greater exposure to other national and international racial and ethnic groups. These next sections will explore this further with specific attention paid to religious and political orientations as related to the death penalty, as both institutions have been key in creating and maintaining racism in the U.S. and in the criminal justice institution.

PERCEPTIONS OF CAPITAL PUNISHMENT UPON HIRE

How do people get involved with working with capital punishment in the first place? It begins with working in the prison setting for many years for most people. The participants in this study had reported that working with executions was nowhere in their mind when they were first hired to work in the prison. Several had envisioned working in the prison only as temporary work until they completed college studies while others pursued it as their lifelong careers. But in common for all regardless of how or why they began to work for the prison, none envisioned was working with the capital punishment. No participants reported going into working for the Texas prison system just so they could have the potential opportunity to work with executions.

This lack of vision is nicely captured by Kelly, who had worked for TDC prior to the major prison reform and the reinstatement of the death penalty. Kelly explained that back in the early 1970's with another officer, they would go into the execution chamber with absolute awe. During that time, they would supervise prisoners who would have to regularly clean the chamber and polish the electric chair while still in place from the last execution that took place in 1963. At that time, the death penalty had been federally

abolished by the Supreme Court and it never crossed their minds of the possibility that it may be reinstated later in time. Even further, they never imagined that they personally would play a direct role in carrying out executions, especially in that very execution chamber that had been believed to be permanently retired. For many prison workers at that time, the execution chamber was thought of an archaic curiosity within the prison that represented a very dark part of penal history.

Likewise, Jodie recalls when supervising inmates who had to clean the execution chamber and electric chair on a weekly basis with another corrections officer who did not like entering the chamber and explains: "...had to go down and polish the electric chair...and he had to, but he didn't like it at all. Yeah, we weren't executing anybody so it wasn't any big deal." They were correct that the execution chamber would never be revived for capital punishment with use of electricity or with that chair, but the idea that capital punishment would ever be a future possibility in that chamber with other means, or elsewhere in the prison, simply was not there as reported by all the participants who had worked for the prison prior to the reinstatement.

Tracy who had begun working for TDC during the 60's held an anti-death penalty position and like others never imagined capital punishment would be reinstated:

I never even gave, gave it a thought before I started working with the system. When I, I, worked with the system it still became a personal thing to me, but I knew, uh, as far as witnessing the executions, I felt it was beneficial to me since I had to deal with the [type of interaction] afterwards. I felt that it would be better for me to be in the chamber so I

could speak intelligently about what happened...In order for me to do a good job, you had to be there in order to [fulfill the positions of this job duty]. And if I wasn't there, I would be doing a disservice to the institution.

Some had begun working at the prison *after* the reinstatement reported and held a pro-death penalty position. When people were hired to work in positions that will inevitably involve the death penalty in contrast to guards and officers who had no idea they would be working with capital punishment at some point in their own futures, it appears that values and orientations may have played a role hiring process in contrast to pre-reform when capital punishment was not in place.

Civil Religion and Capital Punishment in Texas

When people get hired into the prison profession, particularly if aware they will be working with death row inmates, as with communications or other non-correctional divisions such as medical positions, they generally need to be either supportive of or indifferent to prison policies in place and demonstrate they are capable of upholding those without bias. When reflecting back on the pro-death penalty orientation upon being hired and why that was, in retrospect Skylar recalls:

I think, you know, I, I, it it, it might have been a societal type of thing. It might of, it might have been the fact that, you know hey I'm a Texan I'm supposed to be for death, for the death penalty, it could of, it could have been something as simple as that. And again, I use the word, I was in, you know somewhat ambivalent about the whole thing, I, I just never been

exposed to it, I didn't really think about it, I remember uh my background is is, is [name of majors in education], but I can remember having some, some very minor discussions with some, some of the people I worked with that, that were pro-death penalty at the time and I can remember saying, "Hey I'm not so sure uh," you know but but it really I, I it was nothing I could, there was nothing factual I could base any argument on at that time, I mean I just, so I just kind of went nah you know, uh, but when I got down there I thought, well you know I, I haven't really thought it that much, and I knew that, but I knew that, golly gee everybody in Texas is in favor of the death penalty I must be too.

It becomes particularly difficult to deal with the issue of capital punishment when people have gone to college for several years and the goal is to get a "good job" where their completed degrees will pay off. Most of us wish to trust our state and its institutions, and to do so if going into work for the state or governmental entities, the employees must minimize concerns and criticism while reflecting institutional support of all policies and procedures in place. This is an integral feature of the rank and file design that is prevalent in governmental entities. As in Skylar's response above, when new to these environments the easiest strategy to integrate is to reflect the popular sentiments of others and the institution. In Skylar's case that was reflecting patriotism on the higher end of the civil religion continuum that is unconditionally supportive of the state and federal policies.

Civil religion is defined by Bellah as “transcendent universal religion of the nation” (1989:95). This concept is further clarified by Wimberly and Swatos, Jr. (1998):

Bellah's definition of American civil religion is that it is "an institutionalized collection of sacred beliefs about the American nation," which he sees symbolically expressed in America's founding documents and presidential inaugural addresses. It includes a belief in the existence of a transcendent being called "God," an idea that the American nation is subject to God's laws, and an assurance that God will guide and protect the United States. Bellah sees these beliefs in the values of liberty, justice, charity, and personal virtue and concretized in, for example, the words In God We Trust on both national emblems and on the currency used in daily economic transactions. Although American civil religion shares much with the religion of Judeo-Christian denominations, Bellah claims that it is distinct from denominational religion.

Elements of civil religion are presented to the public as secular in context, allowing the public to conclude there have been no violations of separation of Church and State, even though those things held sacred are drawn from Christian figures and American history” (Wimberley and Christenson 1981).

While the purpose of civil religion serves as an integrative function in American society as a quasi-religion "that unites civil society through religious types of elements and national allegiance (Wimberly and Christenson 1981:92) in his study on the practice of civil religion in the public schools, Gamoran (1990) found that while civil religion

was effective in socializing American students into the a set of common understandings of the American nationality, it simultaneously marginalized minority students whose backgrounds and religions prevent them from full participation and embracement of the civil religious ideals and ceremonies. For example, curriculum covering colonialism further marginalized Native American students, which was interpreted differently for students who were descendants of immigrants to the U.S.

The same ideals can be said to hold true in the prisons where civil religious ideals were cited as core beliefs for the participants in this study, yet exclusionary to the inmate populations due to their status as prisoners, with many coming marginalized backgrounds and minority groups as described above. When reverting to rationalizing their work, as already shown and we will further see, the “Law of the Land” ideology was cited as the primary authority for the state to legitimately carry out capital punishment. In such cases, the “Law of the Land” ideology was communicated consequently by the participants who reported their personal religions were Protestant Christian and belonging to denominations that are often related to fundamentalism.

Civil religion and the prison employees

For prison and other governmental employees, demonstrating a type of faith in, and loyalty to the state represented system is done through civil religion that exhibits unconditional beliefs that the laws and policies of state are fair and just. To succeed in such an environment, one must be effective in doing so since they are serving as official representatives of the state. But many of those who go into corrections are products of their past socialization and environments, reflecting that highlighted above with how the

processes of civil religion permeate deeply into the identities of Americans, beginning during the early stages of life through things as education and so on. And as Skylar noted above, when one is deeply integrated into their immediate social settings, quite often it is human tendency to simply unreflectively “flow” with the general social current rather than against it. For Skylar, that position was having an unreflective and uncritical pro-death penalty position simply because everyone else did.

For Dana, who had worked for the prison during both the pre and post-reform eras, it was very similar:

Uhm, I don't know that I ever had an opinion of it. I just thought that's just the way it, the way it was. If somebody does something bad enough then they were put to death. So I don't think I had an opinion of it, I just thought that's the way it is, I mean it's something that bad that, that, that you were sentenced to death...uhm, I thought that lethal injection before I did it? Well, what I thought was that they just put 'em to sleep as opposed to the electrocuting them, uh probably less uh dramatic, by lethal injection as opposed to uh the electric chair.

For many participants, without the thought of working with capital punishment in mind, when invited to work with executions, they recalled drawing comparisons to the execution process with the earlier electrocution method that allowed them to reason that lethal injection was really not all that bad. But this reasoning at the time was further influenced by external forces within the environment where lethal injection was presented by the “experts” and justified as a new, groundbreaking truly humane method

using sterile medical procedures where the inmates just “go to sleep.” Being highly integrated into an elevated civil religious state culture with that advocated for the death penalty while simultaneously being employed by the state led many of the participants to feel as though they were merely flowing with the cultural current. This combined with the expert authority insisting lethal injection was ethical and humane led many of the informants, despite their own political orientations regarding the death penalty, to accept the idea that this new form of capital punishment must be acceptable.

Values, Religion and Capital Punishment

If we think back to Chapter III on roles and how they serve to uphold stages in various settings, actors are necessary to carry out the performances. In the case of capital punishment, actors who represent the prison and consequently support and/or legitimate the practice of capital punishment are selected or recruited by higher level prison officials to carry out these staged performances. In the case of prison employees, they have to be willing to fulfill a philosophy that holds some people’s lives may be taken by the state. As highlighted by Marquart et al., in order for capital punishment to be in place, society has to subscribe to values that exclude some people from the basic rights and protections too often assumed to apply to all people in the U.S. In order for capital punishment to be carried out, it has to be legitimated by the institutions representing the state and actors within those institutions to doing the work. As the participants in this study have well demonstrated, they need not necessarily hold personal values that are in favor of capital punishment, but they must be able to prove their ability through loyalty to the institution to carry out the executions.

There is at least one position, however, where the actor must be able to articulate a moral legitimacy for capital punishment as associated with the actors involved, and in the case of Texas, that is the chaplaincy. Part of the reasoning for this is that the medical field has taken an official anti-death penalty position largely due to the Hippocratic Oath as noted in the previous chapter. Because the psychiatry and psychology professions are associated with the medical field, and thus, have also held positions against the death penalty. The reinforced moral legitimacy hence comes from the prison chaplaincy assigned to work with capital punishment, which has held biased interpretations of the Biblical scriptures.

Religious officials, unlike the medical, provide moral counseling unrelated to scientific findings; yet like the correctional workers mimicking the medical profession in carrying out the executions, mimic the role of the psychiatrists and psychologists. In essence, the entire capital punishment process in Texas impersonates the medical profession with the procedure and guises the legitimate authority. This is not to say that prison chaplains should have no role at all in the capital punishment process, but their roles deviate from their traditional functions of bringing spiritual relief to the mourning when they are asked to present an official spiritual authority for the practice, regardless of what their own theological interpretations of the Bible may be. These next sections will focus on the role institutional values and morals that are exclusionary in nature play in capital punishment functioning within the prison institution and the prison employees who work there.

Did the religious morals and values change for the prison employees across time?

One of the research questions was whether or not religious beliefs and orientations had changed between the time of initial entrance into the prison work and retirement from participating in the death work. Religious orientations as related to capital punishment are important because at face value, it would be easy to assume that if one is religious, than by default he or she would be against the death penalty. The same assumption could easily be applied to abortion, racist practices, and so on. But that is not the case. Religion has been a major source used to legitimate and rationalize capital punishment, particularly in Texas. Religion has been used to justify abortion as well. Interestingly, despite the positions religion groups take on issues of capital punishment and abortion, many have been inconsistent with their pro-life or pro-retribution viewpoints. Johnson and Tamney (1998) found the following four primary characteristics associated with this inconsistency:

First, they tend to be members of rather conservative fundamentalist Protestant churches. What we could be dealing with here are members of the Christian Right...i.e., conservative fundamentalists who want to take political action to Christianize America, which to them involves eliminating abortion. Their general conservative political ideology and traditionalist perspective would lead them to take a strong pro-capital punishment stand, along with their anti-abortion position. The fact that they can hold these two cognitively inconsistent life-views could further be attributed to the finding that they tend to be authoritarians...and

dogmatic authoritarians tend to ignore or compartmentalize inconsistent beliefs.... A second characteristic of those with inconsistent life-views is a concern with the sexual morality of younger adults. From this we might surmise that these "inconsistent" people are really not as concerned with the life-taking aspect of abortion as with their opinion that abortion promotes sexual promiscuity. These people are not so much "right-to-lifers" as "sexual moralizers."... A third characteristic of people with inconsistent life-views is the belief that physical force, and in some cases weaponry, is needed to solve problems. The role of this physical force perspective is possibly its greater salience, than the need to preserve life, in evaluating the capital punishment issue for the conservative people we are dealing with here... a fourth characteristic of those with inconsistent life-views is social traditionalism... This is based on the finding that these respondents were more likely to believe that hard work leads to success and that racial intermarriage is wrong, and on the moderate correlation between these two measures. It would seem that a social traditionalist is more likely to hold two consistent traditional views, i.e., abortion should be illegal and capital punishment should be used to punish murders, than to be bothered by the inconsistency of these views from a life-preserving perspective (p. 44-45).

In the case of Texas, the religious positions on pro-life among the conservative have been vastly inconsistent with strong support for capital punishment while holding

equally strong anti-abortion sentiments (Hellerman, Morris, and Smith 2014; Round Up: Law and Policy 2003). While by and large, most religious institutions as a collective have come to no longer support the death penalty and openly favor abolition (Pew Research Center 2009), there are a number still in open support and include various white dominated Protestant, primarily fundamentalist churches and sects (Bjarnason and Welch 2004; Young 1992) and the Church of Jesus Christ and Latter Day Saints who leaves the decision to the state, yet the adherents tend to be in support of the death penalty (Mauss 1984).

But despite the official religious institutions position on capital punishment, much political support from major political parties in the U.S. represent Protestant-based constituencies. The majority of Americans report being in favor of capital punishment with figures of 67% and 55% representing people with faith systems ranging from Christians to people who are non-religious, respectively (Bohm 2011). Without those figures, it would seem that the less religious one is the more likely they would be in favor of capital punishment and vice versa. But in the U.S. that is not the case. The higher figure shows that there is a stronger possibility one will be in favor of capital punishment if they are religious, despite their churches official on the topic. Those religious groups who do not favor capital punishment in the U.S. often come from systemically oppressed groups and/or belong to a religious institution that is not of the dominant Protestant tradition (Bjarnason and Welch 2004).

Ethical conflicts between religious positions and death row inmates

Thus, there are significant ethical tensions for prison inmates, particularly on death row, and religious institutions. While Texas prisons strongly uphold religious freedom for the inmates, the dominant values of the dominant Protestant Christian religion are continuously enforced by the state. In this very real sense, the practice of capital punishment directly violates the freedom of religion, and respect for those rights, particularly for those inmates who identify with theologies where the official positions of the church or religious organization embrace an anti-capital punishment position. Ethical violations can still occur when an inmate may belong to a religious tradition that holds an official pro-death penalty position, yet embrace an anti-death penalty position at the personal level.

Though as explained by the participants in this study those inmates who do succumb to the religious group beliefs that hold pro-death penalty orientations come to advocate their own executions to pay for their crimes. Karla Faye Tucker was most widely cited example where she was reborn and came to the understanding, as taught by the religious faith she was following, spiritually she was saved by the grace of God but had to pay for her sins through the death of her physical body. In this sense, religion can serve as a power and control mechanism used to get the inmates to be more likely to voluntarily cooperate with the entire execution process. One of the major themes was the primary goals of the prison employees is to get the inmates to voluntarily cooperate with little to no conflicts.

But it is often the case that if death row inmates wish to undergo executions it is not because they personally embrace pro-death penalty positions for religious reasons, rather they wish to no longer live in solitary confinement on death row. The religious orientations and personal positions on capital punishment are quite diverse among the inmate populations. Sammy had explained that one of the biggest eye openers in working with inmates was the incredible diversity of religious beliefs from Christianity, Satanism, and Paganism to Islam, most any religious belief and practice imaginable is present in the Texas prison populations. While the Texas prisons, as a holistic institution subscribes to the dominant white Protestant religious orientation, Sammy explains the prison workers are in no way allowed to interfere with the inmates personal religious beliefs. The contradiction and ethical dilemmas lies with the prevailing larger dominant religious value system of the state institution that trumps the diverse religious beliefs and practices held by inmates when they carry through with capital punishment, particularly for inmates who practices faiths that hold an anti-death penalty orientation.

White dominated theology and capital punishment

As shown above, in the U.S. there is a clear difference between the religious bodies of the various racial and ethnic groups that openly favor or oppose capital punishment. In narrowing the scope further, more specifically to the analysis of perceptions of race and capital punishment and the racial divide, Unnever and Cullen (2007) found that whites were overwhelmingly in support of capital punishment while lack of support for the death penalty was nearly as great for anti-racist whites and African Americans. They explain further that the general trend of those who support

capital punishment tend to worship a more wrathful god in contrast to those who tend to be against it because they support worship a more loving god (Unnever, Bartkowski, and Cullen 2010). Compatible with the findings above, evangelical and fundamentalist Protestants tend to favor the death penalty more than the liberal or moderate Protestants, and black fundamentalism is less likely to support capital punishment than white fundamentalism (Bohm 2011; Young 1992). Unnever, Cullen, and Johnson (2008) conclude: “white support of the death penalty is likely based on the perceived ‘social threat’ posed by racial, ethnic, and immigrant groups. African American opposition to the death penalty is perhaps best explained by a historically rooted fear of state power, which is captured by the concept of the ‘state threat’ hypothesis” (p. 45).

Consequently the core legacy of the Black Church rooted in U.S. history has been a combination of religiosity and national patriotism that has relentlessly challenged the Christian theology preached by dominant white churches and the promises of the liberty and justice for all rhetoric espoused in the Bill of Rights and U.S. Constitution (Bradley 2010; Feagin 2009; Saillant 2002; Bogin 1983). The definition of Black Theology provided by the National Committee of Black Church Men (2010) includes the continued resistance of white oppression that stems back into the initial makings of the U.S. nation:

Black theology is a theology of black liberation. It seeks to plumb the black condition in the light of God’s revelation in Jesus Christ, so that the black community can see that the gospel is commensurate with the achievements of black humanity. Black theology is a theology of

“blackness.” It is the affirmation of black humanity that emancipates black people from white racism, thus providing authentic freedom for both white and black people. It affirms the humanity of white people in that it says “No” to the encroachment of white oppression (p. 18).

With the exclusionary brutal history of the U.S. towards African Americans and other groups of color, it is no wonder the official religious positions of groups of color overtly rejects the same interpretations of the scriptures held by white followers. In addressing possibilities for abolition, Tushnet (1998) posits:

That intuition is that society's position on the existence and use of the death penalty both expresses and constitutes the kind of society it is. Harold Berman has quoted the German social philosopher Jurgen Habermas as saying, "You must understand that after what Germany lived through under Nazism, it would have been impossible to restore capital punishment." To have reinstituted the death penalty in Germany, that is, would have been to repudiate the historical lesson of the Nazi experience for that country. What, though, of countries that have not learned that lesson? (p. 24).

With both the unapologetic legacies of American Indian genocide and African American slavery, coupled with the continuation of capital punishment of which most religious groups of color in the U.S. reject, it is clear dominant white America has yet to learn the lessons from its past as did Germany.

Religious orientations regarding capital punishment and conflict, or emotional stability for the participants

The general trends of religious beliefs highlighted above by racial and ethnic identification largely reflected the participant's orientations in this study, most generally. When it came to addressing religiosity and capital punishment, few reported their faith undergoing fundamental reformation after working with capital punishment. What is meant by fundamental reformation here is whether or not adherents to a religious institution or body had remained committed to the same faith but the interpretations of the religious doctrine had changed. Most participants remained committed to their original bodies of faith they enter the death work with, but some had come to question the premises of the interpretations of their religious doctrines. For others, their beliefs and interpretations of the holy-scriptures did not change.

The first death house chaplain since the reinstatement of the death penalty, Reverend Carroll Pickett, who is Presbyterian, had reported such internal change taking place. He has firmly remained committed to the Presbyterian religious body, but has reformed his own interpretations of the Bible regarding capital punishment. What was prior an emphasis on religious interpretations of the state having the authorization to carry out death penalty, he has come to emphasize the Biblical precepts of "forgiveness" and "mercy" as the primary values all people and society should embrace regarding capital punishment. For Reverend Pickett, these are the two core features of Christianity that should trump any emphasis on vengeance and retributive ideologies state sanctioned, or not, and should be preached by not only Christians, but all Texans and all

Americans. In addition, through his own firsthand experience in providing ministry and support to death row inmates preparing for their executions, Reverend Pickett came to recognize the importance of inmates undergoing executions who are of non-Christian faiths having religious representatives of their own spiritual beliefs with them during their last hours of life (Pickett and Stowers 2003).

Conflict of scriptural Biblical interpretations regarding capital punishment

Thus, as illustrated above, the main complication of religion and capital punishment is the competing interpretations of the scriptures (Tushnet 1989). As history has well shown, issues with interpretations have spawned major religious reforms where in some cases those challenges have spurred new religions and prophets, from figures as Jesus, Mohammad and Buddha who were challenging the major interpretations of their Holy Scriptures within their historical time periods. They were challenging the major inequalities they saw around them and through reform, branched the dominant religions into modified and reformed religious bodies (Crossan and Reed 2003) and consequently, the emergence of many competing churches and sects (Kee 1995). With religion, faith in the interpretations especially those that preach inclusion to one's own group and speak to one's own needs will be the faith that individuals will naturally embrace if religious. Most black individuals for example, will not subscribe to a white church that preaches anti-black inequality and subscribes to racist politics and policies. Likewise, even in current times, where churches are the most segregated institutions in the nation, whites do not subscribe to the religious teachings of black churches, even though their antiracist and nonviolent traditions preach inclusionary interpretations of the scriptures that firmly

hold all people are God's children, and all people are entitled equality, liberty, and justice for all (Emerson and Smith 2001; Morris 1986).

The interpretations of religious scriptures that have been applied to capital punishment by white churches and religious bodies disproportionately conclude capital punishment as legitimate and theologically sound, in contrast to black church bodies. In the case of the prison employees who worked with executions, they reported seeking counsel from either their own personal ministers, or prison chaplains regarding their concerns with their participation in executions and whether or not capital punishment is supported by the scriptures.

Capital Punishment and the Separation of Church and State? Not in Texas

While there is no doubt religion plays important roles in providing personal theological guidance regarding morals and values and contending with difficult metaphysical questions that do not have absolute answers, such matters are supposed to remain at the personal levels in the U.S. There is supposed to be a separation of Church and State and the governmental institutions. As shown above, there is not a clear separation of Church and State when it comes to the practice of capital punishment in Texas. If there were, the medical profession would be in charge of the process and the chaplains would be fulfilling their traditional roles as religious officials bringing spiritual relief to those in distress, be they inmates or prison employees. Their roles would not entail a stronger emphasis on reminding prison employees that their interpretations of the scriptures on capital punishment are morally correct and Biblically sound and getting the inmates to voluntarily cooperate with the process.

The “Church and State” contradiction

With capital punishment being carried out through purely “volunteer work,” meaning that those who work with executions do not get monetary reimbursement or institutional recognition as noted in Chapter III, the process itself is treated as a separate from the state in that the certain rights and protections are missing for the employees who participate in the executions. Yet the capital punishment dimension of the institution itself still represents the dominant religious values systems of the state of Texas by carrying out executions. Because it is considered purely voluntary by the institution, investments into any formal education regarding death and dying along with potential negative effects that deal with death has not been seen as a necessity or made available by the prison or state. Any and all risks associated with participating in the execution process have been placed on the individuals who agreed to do the work. Because of the conditions and agreements made by employees with the prison institution when joining the execution teams, the prison institution itself is free of any liability for any and all harms that might result from their participation in the death work. These terms, according to the participants in this study, were made explicit upon agreeing to take part, yet were given no professional training or services were built into this particular facet of the prison institution.

In principle, while they are informed they have people to turn to if they are struggling, such as higher officials or chaplains involved with the process, they implicitly receive the message that they are agreeing to not hold the institution responsible for any harms that may arise from their participation. This encourages

emotional repression and the alienated presentation of self these prison workers are expected to uphold. As highlighted by Bailey in this study, even though the prison officials will explicitly do and say the right things if an employee goes to them for help, implicitly the prison officials will often hold that against them through withholding promotions and so on. The prison employees are aware of this type of covert discrimination and actively seek to avoid it.

Upon their training with the death work, and in the cases where help was sought out when the prison employees had questions or were experiencing varying levels of distress, the participants in this study unanimously had reported it was the prison chaplains they were referred to. Unanimously, all participants, religious or not, spoke very highly of the prison chaplains who worked with the execution process, even if some had relied on their own personal ministers for private support. The prison chaplains too, however, as Reverend Pickett reported in his memoir, at times need somewhere to turn since they are primary support service for the prison employees. In turning to somebody who he felt safest with, Reverend Pickett sought out a psychologist not associated with the prison system, as he felt his personal questions and issues were beyond the scope of theology. His own personal struggles rested with his interpretations of theology that he was struggling with as a proponent of the death penalty at the time and his role in legitimating capital punishment on behalf of the state. It became increasingly difficult for him as the prison chaplain to fulfill the contradicting role that lent support for capital punishment in terms of preparing inmates for their deaths while easing the struggles prison employees were experiencing.

For many, their only avenues to turn to where they felt most safe with regard to confidentiality, naturally, were their own personal faith systems and ministers. And up until the 1990's the only prison spiritual guidance available to the inmates and employees was from white Protestant traditions that condoned capital punishment, as noted by Reverend Pickett. There were no built-in theological resources for Muslims, Black Muslims, black theology, or other types of faith systems, even if an alternative form of Christianity.

There have been occasions when Black ministers (civil rights leaders) did attend executions on behalf of inmates, and at times they clashed with the prison system and the prison chaplains as the theologies and interpretations of the same Biblical text were fundamentally different, one preaching retribution and the other forgiveness and mercy. One was preaching the state has the right to take a life while the other was arguing that it did not—very much in line with Marquart's et al. assertion that legitimating murder, be it war or abortion or capital punishment serves to exclude some people from the definitions of who is to be included and protected, which is ultimately determined by the dominant group. In the case of religion and capital punishment in Texas, it is about differences not only in group religion, but religion of the weaker group having no control over the issue.

Boundaries of Prison Religious Services and Capital Punishment

Given the complicated circumstances that lead prison employees to partake in the death work and take on the responsibilities that will ensure all goes well to the best of their own abilities as volunteers in the process, the religious support and authority

provided by the prison has been key in morally mitigating their work for most. Again, the chaplain ministry that works directly with capital punishment in Texas, at least when these participants were there, subscribed to biased interpretations of the Bible that espoused capital punishment as a legitimate function of the state. The chaplains were often instrumental in providing services to the employees in ways that allowed them to make moral, psychological, and spiritual sense of their work. For some, they found they needed more and went elsewhere as noted above. Though what was common among all participants is the tendency to internalize and repress their feelings when they felt their needs were not met and their voids were not filled.

Indicating a possible need or desire for psychological assistance unravels the “hard-core” image the prison employees are supposed to reflect and implicitly suggests in the eyes of others that they are “weak” and/or mentally unstable. Members of the executions teams must echo satisfaction with the narrow support services offered by the prison that are religiously oriented, as well the religious justifications that legitimates the death work, as both sufficient and adequate for serving the needs of the volunteers. This passive acceptance by default then, legitimates the interpretive white Protestant pro-death penalty based Christianity to serve as the primary emotional resource for the employees and moral authority for the prison institution. And as noted prior, psychologists and psychiatrists who maintain a clear professional separation of Church and State were reported as having no part in the execution process for either the correctional employees or death row inmates. In addition, such specialized services were

not built into professional amenities available to the prison workers who worked with capital punishment.

It was suggested by prison officials that psychological services were available later in time upon request, but it was a rather generic avenue only available through in-house bureaucratic means. Problematic, however, was the lack of privacy and confidentiality afforded to the prison employees by the institution, should they have decided to seek out available services. All participants in this study reported they did not use these resources. Later in time a voluntary debriefing service was formulated by one of the prison chaplains and other social support prison employees; it was reported, however, that none of the participating members of the execution teams used it. Again, they preferred to cope with death work in their own ways and with trusted personal resources available to them.

Former higher level prison employee, Rylee, was well aware of these complications and recognized the limitations of the services offered by the prison. Rylee was particularly sensitive to employees needing time away to work on emotional healing related to the death work and reported it would be granted, carefully, and without penalty while on his/her clock:

If I had to, I would write a letter, but not specifically saying why I wanted this person to get administrative leave, uh, for instance my, and I, I didn't do it, they didn't allow it for upper people like me, but for the team, we gave 'em I think it was 3 or 4 days a year, uh just that you didn't have to take any of your time or anything it was just 3 or 4 days a year that I think

you just have, if you know. But I had to write a letter because the state requirements or somethin but I couldn't even say what they did is why they wanted these days so I had to be very articulate when I wrote those up. Do I think they should do more for the [employees who work with executions], voluntary and and people like us who are in certain positions that needed "quote unquote" a requirement that you do have to participate in, yes I do. I think the State of Texas should recognize that that's part hardest of our jobs that they've ever asked us to do.

So in more recent years some of the higher level officials working on the execution teams have come to find strategies to help others in lower ranks, with the strictest of confidentiality and without penalty⁷.

All participants in this study felt they were personally fine emotionally and psychologically, but raised concern about others. The only built-in psychological services for the execution teams for the capital punishment process for many years were the prison chaplains assigned by the prison institution in contrast to the later psychological services made available to function as *post hoc* cosmetic dressings. Again, at the time of their participation in this research and during their time of employment, there was no proactive work done with the prison employees to provide education on death, dying, and grieving, and who to turn to in the event negative effects should arise. The described attitudes of the institution is that the employees invited to participate in

⁷ These higher level officials refer to administrative positions above the wardens. These positions did not exist during the pre-reform days and the wardens used to be the highest level officials within the prison institution. The higher level positions are the result of post-reform changes.

the execution process would simply handle matters on their own and further, because of the prison culture not needing any type of help as correction officers. This level of institutional apathy demonstrates the blindly accepted level of de-humanization within the culture among the workers that takes place.

Prison Chaplains Serving as State Moral Authority for the State, Prison Institution, and Capital Punishment

To this day, nonetheless, prison chaplains continue to play important roles in providing support services for the prison workers who work with executions. But again, the chaplains selected to work with capital punishment in particular tend to convolute religious authority with state authority through serving as advisors on the matter to prison employees, as well as support services to both employees and inmates⁸. When inquiring about religion with Shelby who was involved with signifying Protestant religious authority in the prison, in contrast to Reverend Pickett's revised interpretation, held a retribution position:

I think that is something that the state can do without violating uh biblical principles without being in violation of the uh, precepts of the Christian religion as I understand it. Uhm, I am not convinced that it's necessary to do that as a deterrent, that there may be better ways...I am a Christian, the scriptures are normative for me, they determine what I'm going to

⁸ In the U.S. the tradition of using white Protestant Christian chaplains that were simultaneously representing the state roots back to the earliest social construction of territories and states. Non-white individuals representing either Christianity or non-Christian belief systems were never a part of that power hierarchy sanctioned by the state to both represent the criminal justice institutions or the inmates undergoing executions regardless of what their personal religious beliefs were.

believe, uh there are passages in the scriptures that speak about the government's role. Those passages, um, instruct me that it is the function of the government to look after there being a just society, and that means, and to protect the citizens. Um, and so I believe that is the primary function of the government um, and if I'm a part of that government, that's a part of my duties.

While Shelby had not had as in-depth interactions with the inmates prior to their deaths as did Reverend Pickett, s/he was still close enough to the execution process to critically call into question the role of church and state. In Shelby's response, both the religious and governmental roles were equally significant and inherently intertwined, though as Shelby indicated, there may be better alternatives to consider.

When working in the prison prior to the reinstatement of capital punishment, that formal schism was not present for Reverend Pickett—it only came into play when he had to work with executions. Such blurring of roles and religious and governmental convictions came into collision after working with the executions. Such a schism was missing for Shelby when going into to work at the prison after the reinstatement. From what this research suggests, only individuals who can reconcile these contradictions are those selected to work with the death team. Obviously, religious officials who provide support and counsel who were not able to theologically legitimate capital punishment were not selected to work with the execution process⁹.

⁹ In popular culture, Shel Silverstein (1962) released his song, "25 Minutes to Go" later performed by Johnny Cash that references this phenomenon with a pro-death penalty prison chaplain, "Now here comes the preacher for to save my soul, but 13 minutes to go. And he's talkin bout' burnin but I'm so cold, 12 more minutes to go...". The stereotypical imagery of the prison chaplaincy reflected the fanatical preacher

Similarly, Sammy reported: “Well I was uh always, part of the demand of what we study in the Bible, supported it, uhm, on how we interpreted it.” In response to whether or not the personal religious orientation had changed after working with capital punishment, Sammy continues on:

No, no change. Uh and I don’t, there’s no change uh you know just like I said earlier uh people would say, “well how can you do that” or “how can you be involved with that” “are you a Christian” you know, I got teachings in my own mind and the only one I gotta answer to is when I, when I’ve gone to whoever I answer to, at least that’s what I believe in, and he’ll be my judge, not anybody else, that’s the way you just kinda look at it, that’s the way I look at it.

Again, it’s not entirely clear how religious beliefs were perceived to be consistent with the doctrine of murder and why or how it is that God would approve some humans to take lives and others not. But certainly, in line with Chapter III, religious doctrines serve as deeper level coping mechanisms. Furthermore, in line with Marquart et al.’s theory, it serves as a significant authority to uphold exclusionary practices. And as Sammy had noted, “if you think about this stuff it will eat at you” so adhering to the religious beliefs that condone capital punishment buttressed with emotional repression is the easiest way to essentially cope.

waving the bible around at the condemned inmate moments prior to his execution. In this image, the chaplain was there to instill further fear of the approaching death regarding the Protestant belief system in the afterlife coupled with an angry conception God, should they not accept their fate and repent for their sins rather than serve as a figure who is there to as a representative and advocate of the prisoners and their diverse faith systems. To some degree this image is reflective of the religious domination prison institutions have historically relied on legitimate the death penalty.

The most basic definition of the separation of Church and State is simply that religion and its influences are to be separate from governmental functions, structures and institutions, and more importantly as associated to this study, that governmental influences are absent from religion. Providing religious services to prisoners who may request such is not a violation of that clause, but requiring prisoners to partake in religious services would, for example, cross that line. Hospitals and medical authorities providing chaplains to meet spiritual needs for individuals experiencing personal distress is not out of line with that clause and is morally sound. But selecting chaplains who subscribe to very biased positions on issues as with euthanasia, abortion, and capital punishment to fulfill formal roles that represent the state and its authority is problematic. And then assigning these same chaplains as the emotional and moral source of authority for the employees to turn to when in distress or having questions about their work is, by definition, a violation for the reasons noted above.

This issue was very apparent during the time the participants in this study worked at the prison. No black liberation chaplains or ministers had been hired to work at the prison for example, either with death row or non-death row populations, even though a significant number of both prison employees and inmates in both populations are black and were raised with the black church religious tradition or non-Protestant traditions. As far as this study is aware, that has not changed, particularly with chaplains who are assigned to work with death row inmates during their last days and hours of life.

The biased white dominated Protestant religious traditions are built deeply into the capital punishment institution in Texas. Reverend Carroll Pickett who is a white

Protestant minister had to withdraw from his duties when his own interpretations changed, is a solid example of how the religious nature of capital punishment in Texas is exclusive in nature (See Figure 7 below):



Figure 7: Reverend Carroll Pickett, the first death house chaplain since the state level reinstatement in 1981 (Pickett 2014).

Even if the belief systems of white Protestant chaplains deviate too far from the institutions goals and belief systems, they become socially excluded from the capital punishment process. As highlighted earlier, Reverend Pickett recognized during his work at the death house that the inmates undergoing executions would be best served

having chaplains that represent their own personal faiths. Part of the difficulties associated with working with inmates who are of a different faith than the chaplain, is that sometimes the Chaplains are unfamiliar with the belief systems and related rituals. They are limited in their ability to provide competent spiritual comfort, as related to the inmate's faith, during their last hours of life. Reverend Pickett found this part of his work particularly difficult. Since he's retired from the prison, he's strongly advocated for the prison to hire chaplains representing many faiths to work with the inmates, as well as worked with interfaith-based agencies towards getting the death penalty abolished not just in Texas, but throughout the entire U.S.

For many of the participants, when they came to question the theological legitimacy of capital punishment, responses from ministers were much in line with Shelby's above. According to the participants in this study, it was primarily the prison ministry they were encouraged to turn to in the event they felt they had questions or concerns regarding their participation in the execution process. Questioning whether or not partaking in killing or murder will result in eternal repercussions was reported as a serious matter for many participants. Sammy expressed that concern when asked about any anything in particular that may bring worries:

it wears on you like I said after a while, cause, you know, you think about it, you know and I was, well let me put it this way, one of these days I'm gonna have to meet my maker and I'll be judged too, just hopefully I'll be, I'm just doin what I'm supposed to be. And it wasn't like I was made to do it. I didn't have to, uh, some people "I can't work with that" and

there's nothin wrong with that...you let it work on you, it's, and I think everybody found their own way to cope with it you know I found my way....

According to the findings, religious concerns seemed to be one of the primary areas that had the greatest potential to raise concerns on the legitimacy of capital punishment and their participation in that process. In these cases, avoidance strategies were used to handle concerns related to their own personal beliefs in the afterlife and whether or not they, as participants in the execution process, would be excused by their own personal higher power.

Religiosity and the "Law of the Land" ideology

But others who were also deeply religious were not as concerned about the eternal spiritual consequences of participating in executions. Part of it may have had to do with the type of Christian faith they adhered to, as there is great variation among Christian churches and their belief systems, interpretations, and traditions. In these cases, the "Law of the Land" theme in a civil religious sense was a significant ideology that trumped purely theological religious beliefs for some. Jodie who was raised in a religious home and attended private religious schools explains:

I'm [type of Christian], I went to [type of Christian] schools until I went to high school, so uh, you know. "Thou Shall Not Kill" but, at the same token uh, you know, I guess I'm kind of a law and order kind of [gender type], you know, that's the law of the land, you know, but I've never mentally anguished over any of it, never took any pleasure out of

any of those executions either...you know I just, I just, I guess I blocked that out of my, you know, I have a job to do and I'm going to do what I'm supposed to do. The way I look at it. My parents weren't too happy about me being involved in that process....

Some religious belief systems emphasize the only way to wash the sins away is through rituals as baptism, communion, confessions, and penitence. Under these belief systems, it is held that individuals who complete such sanctified customs are forgiven by God and allowed to enter through the gates of eternal heaven. Belief systems such as those above can be rationalized as compatible with participating in executions even over the official churches positions against capital punishment. For most participants in this study however, as shown above, at personal levels with relation to participating in the execution process, finding ways to reconcile that very dilemma was somewhat difficult. In many cases, nonetheless, their commitment to the state's civil religious ideology was stronger than was to religiosity. In other cases, they remained committed to their own belief systems that were not favorable to capital punishment, but still carried out the work because it's what the prison institution had asked of them.

For those who reconciled their belief system when participating in executions, the "law of the land" ideal coupled with metaphysical conceptions of "freewill," while operating out of the retribution ideology, were an integral part of their understanding for the legitimacy of state sanctioned executions. However, it was never made entirely clear at where the logic of the eye for an eye philosophy stops. Inherently missing from this line of philosophy is the impact environmental conditions have on people who live in

socially and economically deprived conditions. Behaviors and general decision making patterns can be greatly affected for people who live in poverty leading some to resort to non-legitimate means to get their minimal needs met. Deprived conditions and blocked opportunities increase the likelihood that individuals will fail to live up to the standard white middle class ideal and engage immoral and/or criminal behaviors for a variety reasons. And as underscored earlier, those who are sentenced to death most are those who come from poverty and underprivileged backgrounds.

The eye for an eye metaphor is very old came forth prior to the existence of any nation states or governments. One of the significant reasons Jesus, whether he was a purely fabricated fictional character or real historical figure, became one of the most charismatic religious reformers in human history is because of the direct challenge he posed to the dominant vengeance oriented ideology of his time (Crossan and Reed 2003; Kee 1995). Problematic is those who claim to embrace very strong Christian beliefs, while subscribing to the “eye for an eye” doctrine, are in conflict with the teachings of the historical religious reformer, Jesus.

For some, an approach used to combat this dilemma was to embrace the idea that the scriptures of both the Old and New Testaments were equally important and reflected for the word of God. Again, this particular take applies the freewill ideology rather than the traditional deterministic thought systems, nicely captured by Dana who explains:

...having been raised eh, a [type of denomination] specifically and not, I've never been a, involved in snake handlin or just throwin fundamental, but by and large the [type of church] view the word of God as being

literal, which I believe that it is, and you take your Old Testament and your New Testament and they conjoin and I think that eye for an eye tooth for a tooth thing uh, that the Bible espouses is true, even today, it is. Uh, and it doesn't take away uh by the same token his creature is responsible for their hassles, we have, we are a free moral agent, as [type of denomination] refer to it, it's up to us to decide to accept or reject Jesus Christ the Son of God, up to us to be, uhm, act not act Christ like in the sense of how we deal with other people, but I think we all know, whether a Baptist, Atheist, or what, you have got, mankind has to have laws in order to function you can't have anarchy, you've got to have some structure, and in essence the death penalty and the carrying out of the executions, that's exactly what that is, it's the end result of that structure to try to keep us in line if you will.

In contrast to more liberal theologies that espouse to a more forgiving higher power and/or beliefs that the scriptures are metaphorical rather than literal, belief systems reflecting Dana's seems to have built in vengeance ideologies that condone murder in some circumstances. Dana's personal belief system was analogous to the prison chaplains that have been hired to work with capital punishment after its reinstatement.

Of question for this study, however, is whether these religious orientations were held prior to their entrance in the death work and it allowed them to honestly carry out the death work with little theological concern about consequences about the afterlife or

questions on the legitimacy of the state's right to kill, or if this religious philosophy was adopted after entrance into the work and rather used as an aftermath coping mechanism to help rationalize their participation in the executions, or both. The participants who subscribed to the ideology above reported their religious views and orientations did not change after they participated in the capital punishment work. Several who were committed to such belief systems explained they were born and raised in this tradition, just as many of those who were born and raised in the traditions that oppose capital punishment remain closely committed to those religious belief systems.

Most participants consistently recounted no change in their religious beliefs and orientations during and after capital punishment work periods. The only exception was Francis who reportedly still held and identified strongly with the anti-death penalty position based on religious authority that states "Thou Shall Not Kill," but these even these deeply committed views were slightly modified at the personal level after working with the death row inmates. For Francis, whose position was mentioned in Chapter III, capital punishment was reserved for approximately 5% of the inmates in the death row population, whom he believed were beyond any redemption and scientific cures, so to speak. It was very similar to Skylar's perspective, who felt in such cases it is actually more humane to put the inmates out of their misery and the purpose of taking their lives was not at all related to retribution reasoning. Whether or not that was religiously sound was not ever entirely reconciled, as both had reported seeking out religious counsel when they had needed to talk with somebody about this issue. Because of the complicated nature of this position, the anti-death penalty religious counsel received

outside the prison was reported to be a safe outlet to share honest concerns on this matter¹⁰.

Political Values

The religious values were deeply interconnected with political values for most participants in this study. Similar to religion, through identification with political parties people tend create in-groups and out-groups. The histories of both major political parties in the U.S. are fundamentally tied to racism. Historically Democrats had been the keepers and protectors of racism and Jim Crow up through the 1960's when the parties shifted and the Republicans become more closely associated with racial prejudice and discrimination. The prison infrastructure we see today is the result of both major political parties continuously fueling and reinforcing the war on drugs initiated by Richard Nixon and expanding in the 1980's. Both political parties have supported racist and classist policies making it difficult to distinguish between the two at times as with the support for capital punishment, lending support for the building of the new prison empire while simultaneously attacking welfare policies.

Regarding regional differences, the south in general has held stronger support for capital punishment and collectively has carried out the most executions in the nation.

¹⁰ It should be noted that all participants who held a consistent anti-death penalty position prior to their work through retirement relied on their own personal ministers representing Christian traditions they had been born and raised with. These participants held their faith and belief systems separate from their work and its "Law of the Land" philosophy regularly reinforced within the correctional culture in general. Their private religious counsel served as their primary support services in maintaining their own psychological and emotional well-being in dealing with these particular conflicts. The participants who relied on pro-death penalty ministers reported having more difficulties in maintaining their personal well-being. When deeply religious, even the most charismatic pro-death chaplain cannot bring peace to the conscience of those who are involved with taking the lives of others, even if such acts are state sanctioned.

But it also contains the Bible belt, which has both the highest population of African Americans in the nation and a dominant group operating out of retributive and deterrent ideologies. When not from the south, such differences can be rather shocking as nicely captured by Tracy who explains:

We don't have the same type of a, biases like you have in Texas, that, it was hard for me to get adjusted to Texas when I got here...it's tough...uh coming from [location] and then coming to Texas, it's, it's, it's a pretty hard pill to swallow. But you have to, you have to adapt. I was telling my [family member], I said, I ask the question, do you know why we don't have any dinosaurs or brontosaurus, torontosaurus living now? They couldn't adapt. So we have to adapt to it and make the best of it (laughs).

Most participants in this study, however, were born and raised in Texas and lacked a fundamental awareness of how different their culture is to the rest of the nation. Below, participants share their thoughts on the role and authority the state should have with regard to capital punishment.

Political values yoked with dominant religious authority

Shelby, whose deeply religious and had worked closely with those serving as sources of religious authority for capital punishment at the prison explained:

I am Christian, the scriptures are normative for me, they determine what I'm going to believe, uh there are passages in the scriptures that speak about the government's role. Those passages, um, instruct me that it is the function of the government to look after there being a just society, and

that means, and to protect the citizens. Um, and so I believe that is the primary function of the government um, and if I'm a part of that government, that's a part of my duties...I did one time go to my old pastor on the day after an execution because it was one that struck me particularly as, as particularly difficult. The offender was a young, bright, guy, that just got caught up in stuff that he uh shouldn't have, but he had, he had a lot of potential, and felt in this case, man what a shame this has to happen. But that doesn't mean I don't think it should have happened. I do think it should have happened because he did it. And there is justice, and the government's role is to provide justice and security to its citizens as a part of justice, but it was still painful... With regard to government, um understanding the role of government and understanding the scriptures, that's the function. We're at the same place where a lot of folks are that if you look at, that may not have as much of an in depth understanding of the scriptures, and that sounds arrogant I guess but, but I don't mean it that way, but if all you know is the 10 Commandments and one of them says "Thou Shall Not Kill" then you're left with "It's wrong to kill" you know. There are other things in the scriptures that address that question also, and uh, the word really is not kill, it's "Thou Shall Not Commit Murder" and if somebody commits murder, which is a different thing than any and every killing, um, your responsibility for justice kicks in and that rests with government. I prefer not to kill, still *laughs*

In clarifying the position, Shelby emphasizes in response to the question on feelings toward capital punishment after retirement:

I feel like it's a legitimate function of the government. I question whether it's wise for us to do it. Whether there's not a better way. If it needs to be done, it needs to be done with the greatest care.

For Shelby, there was a fundamental difference between the conceptions of murder and killing with one label representing an act that is punishable by the state and the other that allows the authority for the state to legitimately oversee state sanctioned killing. While Shelby suggested it would be most desirable for the state to consider otherwise and find better alternatives, there was agreement with Skylar's euthanasia rationale as being more humane than life in prison as the conditions currently exist, Shelby felt very strongly that if inmates are to spend the rest of their lives in prison without the possibility of parole, then the institution must have alternatives, incentives, and opportunities for personal improvement in place for LWOP inmates.

Along with how capital punishment is ultimately defined and what legitimates its presence for the participants, is as noted above, the practice of placing their faith in the system itself. This phenomenon was nicely captured by Jodie:

Well...you know it was the law, uh you know the prison employees that, that uh, are a part of the execution system, especially the warden who makes the call, is uh, putting a tremendous amount of faith in uhhh, law enforcement, uhhh lawyers, prosecutors and defense lawyers, juries, witnesses, but uh, uh, the execution process is irrevocable. You can't, you

can't back up and start over. So you know, you're puttin a lot of faith in those people that done what's supposed to be done.

While in some respects the responsibility is perceived to be shared by all members of the execution team as described by the participants, difficulties with feeling the entire burden of the process was reported.

Questions of who bears the ultimate responsibility of the inmates death, be it with the members of the tie down team, the warden who signals the concealed executioner behind the two-way mirror only feet away to begin the death process, and certainly, those who set the needles in place to allow the saline solution and lethal chemicals to begin the flow into the inmates body, or the executioners who manage the administration of the lethal fluids, can have the potential for the questioning or feeling the burden by the individuals involved. And again, this question of responsibility is very much in contrast to executions in earlier times when the executioner was the person involved and endured the full burden of this responsibility. Concerns regarding faith in the system were most pronounced when the innocence of the inmates was under serious question as with the case of Cameron Todd Willingham who was executed in 2004. The questions related to possibilities of innocence of some of the inmates they executed was the one area that raised awareness about their former involvement on the part of every participant in this study, including Dana who held a retributive based pro-death penalty position.

While innocence was unanimously the greatest concern, their coping mechanisms here were cognitively related to avoidance strategies where they tried not

think about it. Some participants said that if they think about that “it will eat at them” so rather place their faith in the system. When this strategy was used to avoid thinking about innocence, they put that burden of responsibility for the possibility of an innocent person put to death on the system. With this approach, they explained to do this work, they had to place their faith in the entire system from the jury to the judges decisions, to the entire appellant process. In their minds, here, they are only carrying out their responsibilities, which is enforcing the laws and here, it often tied back to the “law of the land” ideology.

But not all participants felt as committed to the idea that any laws that are in existent are set in stone and not to be questioned. In response to addressing his/her position on capital punishment in current times, without hesitation Robin stressed:

They need to abolish it. Then, a man doesn't have the right to take another man's life, no matter if it is the law, and I've had problems with that even with my family, my [family member], you know to where they're adamant to where it's the law. Well you know what I'm not that naïve there's a lot of laws out there that's being changed every day, and I have to make her a point and she goes well no not really, and I say yes ma'am it is. I mean they had a law before back in the 70's when everybody was runnin over in the highway 70 miles an hour and then they made a new law sayin it was 55, either you do 55 or it was against the law, and now they changed it and now it's 70 again. They have an opportunity to change this law if they want to, if they can see that there's

another way...I think it's on the books now, but that, all these times they've never had life in prison without the possibility of parole, period.

After working with capital punishment, Robin's orientation changed dramatically from pro to anti-death penalty. And as Robin had pointed out, up until recently, for many years Texas has only had capital punishment or exoneration capital crimes. It was not until 2005 that Texas had allowed for jurors to have the option of sentencing capital defendants to life in prison without the possibility of parole (Harvard Law Review 2006). Prior to this, those binary options led juries to sentence the defendant to death in the majority of capital cases. However, at a much earlier time than this, there was a short period in which life sentences were available for juries to consider, but as Francis points out, juries feared some of the convicted would only do a fraction of a life sentence and be set free back into society. So even then most juries would sentence such inmates to death. The participants in this study generally believed if life without the possibility of parole had been an option available to juries throughout the years the death penalty has been in place, there may have been fewer people sentenced to death. Given the political climate in Texas that is pro-death penalty, it's very difficult to say this is the case.

Variation in political positions

Skylar, who is a Native Texan, sheds light on the question of whether or not juries would have been less likely to sentence people to death if life in prison without the possibility of parole was an option—in Skylar's mind and in line with Marquart et al.'s analysis, the answer is no because of the inherent retributive qualities deeply embedded in the Texas culture, a view shared with the dominant power group. Skylar has been

doing work throughout the state that involves educating people directly involved with capital punishment cases in Texas. As noted earlier, Skylar is unique from the earlier participants because s/he was pro-death penalty both going into and coming out of the work with the underlying reasoning for the support undergoing fundamental changes in the meantime.

As noted earlier, Skylar holds a very firm position that it is more humane to put people to death than to keep them in prison for the rest of their lives given current prison conditions sit now. Below the *Harvard Law Review* (2005) addresses Skylar's concerns as prior to the last two decades in the U.S., a life sentence typically meant approximate 15--years on average. These historically new life sentences, while celebrated by abolitionists, not only pose issues for the inmates and the institutions, but:

...the statutes themselves largely affect inmates who never would have received the death penalty. Even the narrowest type of life-without-parole statute - one that is aimed only at death-eligible defendants - casts a much wider net than the death penalty itself, because only a small percentage of death-eligible defendants are ever given the death penalty...while the death row population grew by 31%, the population of those incarcerated for life without parole grew by 170%...The result is not an abandonment of the death penalty, but an embrace of permanent incarceration for noncapital crimes...It is unlikely that parole-ineligible prisoners have any reasonable chance of getting their sentences overturned or reduced. Unlike death sentences, which merit a heightened level of appellate

review, life-without-parole sentences receive no special consideration from appellate tribunals...the vast majority of life-without-parole prisoners have almost no chance of having their sentences reversed (pp. 1851-1853)

Compounded with the physical conditions of the prisons, is the further decrease of rights and protections afforded to inmates who spend the rest of their natural lives in prison.

What Skylar has found while working with capital punishment cases is that Texan's want retribution—Texas juries will select the punishment that will result in the greatest pain and suffering for the inmates. After listening to Skylar's pro-death penalty rationale aimed at minimizing cruel and unusual punishment associated with the very real horrors of prison life, time and time again after the juries are educated about the about the differences between capital punishment and life in prison without the possibility of parole, how awful it is to be in prison citing the suicide attempts and rates, the defendants are almost always sentenced to life in prison without the possibility of parole over the death penalty. Again, because of Skylar's own personal position on the death penalty, concerns are raised about whether or not justice is being done for the inmates since so many are ready to be put to death when they get to the death chamber due to the atrocious conditions they have had to endure for the many years leading up to execution. Again, however, Skylar emphasized that if conditions for prisoners changed in positive ways, if positive incentives were given as Shelby highlighted, it would likely be the case that life in prison without the possibility of parole could be a better alternative for all people involved.

Politically, there was great variation among the participants in this study. For some, their orientations did not change, whether it was a pro or anti-death penalty position, and for others it did change after working with the executions. And as shown by Skylar, even if political orientations remained the same, the underlying reason for continued support changed dramatically. That is, it is possible for pro-death penalty orientations to be based on humanitarian principles and anti-death penalty orientations to be based on retributive ideologies¹¹. All but one participant in the study had reported, despite their own positions, that it would not bother them at all if capital punishment were abolished and were replaced with life in prison without the possibility of parole. Dana was the only participant who felt that strongly that capital punishment must stay in place based on retributive reasoning.

At the other end of the spectrum from the rest of the participants was Kelly who was speaking with two different voices. The first voice was with the professional role that was politically indifferent concluding capital punishment was something for the state to decide and the jobs of the prison employees of the state is to carry out those laws. The personal or second voice, suggested ideals that reflected the era of executions being carried out at the county levels prior to 1923 before they were conducted in the state prison. Not that Kelly was suggesting quite literally that we return back to the local county Sheriffs lynching people at their local lynching trees, etc., but rather a diffusion of responsibility that frees the prison and prison employees from this practice. For Kelly,

¹¹ While not religious, Skylar's notion of putting inmates to death is in line with rural farmers thought that holds it is more humane to put livestock to death when they are enduring a substantial level of suffering and there is no way of alleviating suffering. Skylar's views of the prison conditions are so crippling and inhumane that death is viewed as the more humane alternative.

the role of state prisons is to incarcerate inmates, not kill them. That is, if Texas wishes to have capital punishment in place, the economic and procedural responsibilities of the executions should remain within the counties and their local jurisdictions. Kelly felt if something as this were the case then the number of death sentences sought by the counties would be greatly reduced. Kelly had overseen dozens of executions and felt that it's one thing to have a position on the issue, but it's an entirely different thing when you are the one who has to carry them out.

As shown above, the political positions and values varied greatly in this sample. The conclusions on capital punishment drawn from this sample, whether we agree with them or not, are reflective of their conclusions drawn from their firsthand experiences. A major theme that emerged when questioned on the political elements of capital punishment were that as Kelly said above, it's one thing to hold a pro-death penalty position and an entirely different thing to be involved with carrying them out. Several participants suggested that the public should withhold their pro-capital punishment positions as they would likely change if they were directly involved with the executions.

This point is exemplified with their aversion to prison employees who eagerly sought join the execution teams. They explained they did not want people working with the executions who took pleasure in death work best said by Jodie: "...we don't want any nuts on the teams..." when describing the recruiting process. Pleasure or enthusiasm in partaking in the death work brought concerns, which has led to the execution teams retiring workers from the work, or moving them to a different area related to the execution process. This was done with a particular employee who had quite literally

volunteered a couple of hundred executions and concern was raised among the execution teams that this individual may have been working with executions for the wrong reasons. For participants in this study, it is not normal to have a desire to take the lives of others regardless of who they may be and what they may have done. Their poignant observations here, speak volumes to a society at large that desires to have the death penalty firmly in place.

Perceptions of Race and Racism in the Prison

Much literature has shown how racism has operated in the criminal justice system and the ways in which biased policing, biased concentration on communities of color and poverty, and biased judicial practices has resulted in much racism throughout history. Chapter III paid some attention to racism as related to the slave and Jim Crow institutions when blacks were wholly controlled and or segregated from white society. As highlighted by Marquart et al., such practices were inherently based on exclusionary practices. In order for human groups to exclude other human, they need to be defined as existing outside of those protective boundaries that would otherwise “humanize” them.

In the area of race relations, the participants unanimously agree that racism is still a problem in U.S. society, even with the election of President Obama. Some felt racism in contemporary times was worse than others. With regard to whether it was still a problem in the prison institutions, most agreed it was but that the issues had changed over time. The way racism has changed, from their viewpoints, is related to the rise of prison gangs in the new context of non-segregation of prisoners based on race. Certainly there are differences between the way inmate populations have come to interact with

each other and strategies regarding management control between the pre and post-reform times, as prior to reform inmates were totally racially segregated.

Kelly, who worked during both periods felt that inmates got along fine during pre-reform and somewhat get along fine now, but the biggest factor even above racial differences is personalities. Kelly had come to the conclusions that two people of either the same or different racial groups could be assigned to the same cell and they will either clash or get along just fine. Francis explains that with desegregation inmates, as a rule, incoming inmates are assigned to next available cell or bed regardless of who is already in the two bunked cell. Some level of caution is exercised by the institution during the intake process, however, as:

...if there's something in your history, and we ask those questions, "Have you been a victim of racism?" "Have you been assaulted?" "Have you been, had an issue with another race?" uh "Are you a member of a gang?" certainly uh if uh the history of that individual uh especially gangs, they're not going to put them in where uh they are an adversary or they're not gonna put them in a group, if he's a member of the uh Young Black Panthers, we're not gonna put him in a cell that's just the next cell open with somebody from the Ku Klux Klan, obviously, things like that, but uh Texas has what they call now random celling, and whatever bunk that is that comes open next, don't care what color you are or whose in it, that's where you goin. And uh a little after I became the [position title] they started that process.

With regard to inmate control in the prison, only racial issues between inmate on inmate relations were raised. Death row inmates assigned to death row segregation however, live in solitary confinement until put to death so most participants did not associate racism being an issue for death row inmates outside the possibility of rogue guards and their immediate environments in that respect.

While participants agreed that racism is still a problem in the U.S. society also, it was not clear on whether they had felt that the prison system itself beyond the inmate racial conflicts was moving away from racism with the post-reform changes. But those who worked during both the pre and post-reform eras felt inmates are going to have issues with each other whether they are segregated or desegregated and there were no clear indication or biased preferences regarding which system is best for the inmates. Though both Kelly and Dana referenced inmates who preferred the old system, Bailey was the only participant who had a positive bias toward the new system, suggesting it is much safer for the correctional staff, though began employment at the prison shortly after the post-reform had been implemented. All participants agreed that both systems have serious flaws and it appears neither system is able to promote harmonious racial relations between groups within the institution.

Racism and the employee population

In terms of addressing both racism and sexism in the employee population, most had admitted issues existing both within the correctional and inmate culture more generally. Some had felt the system was very slow to catch up with the times, particularly with regard to promoting women and treating women equally, as well as

employees of color. It was not until approximately the early 1990's that the Texas Department of Corrections had moved women and people of color into the ranks of the warden. Prior to this, all higher level officials in the institution were white men. Regardless of working in the prison pre or post-reform, or both, the racism in the correctional culture seemed to stand out much more for retired employees not from Texas. Like Tracey who was not from Texas and experiencing some level of culture shock when going into corrections, Bailey too was raised outside of the state:

I grew up on [type of housing/community], and it's my belief that if you grow up on [type of housing/community] you tend to have fewer prejudices and racist views, because from the time I was old enough to walk I was around every race you could possibly imagine. I'd never even heard a really good racial slur till I got to where I thought somebody meant it, til I got to East Texas. Uh so, you know I, I had kind of an open viewpoint about that and I was really kind of struck by some of the racist attitudes of some of the people I worked with in the prison system, it was kind of weird. I mean they would actually, I can actually remember being in a room and some prison employee was talkin to a Black inmate, that would use a derogatory racist slur to 'em, and then when the inmate walked out, he would turn to the officer who was Black and say, "Well I didn't mean you dog" and he said that they were like, "Oh man I know what you meant" so it was almost like, I think in some sense, well a lot of the racism I saw in the prison system was designed to maintain control. It

wasn't maybe not an actual belief that one race or the other was more superior or whatever; it was just a way of keeping people in their place. But then again I also know there were a lot of people in there that had some really screwed up views about races and, and they had a lot of, I think, in my opinion personal issues about racism, but I'm not going down that rabbit hole here.

While Bailey avoided some discussions about the thoughts and beliefs some of the correctional employees held, other observations on racism and sexism were disclosed along with what it was like to directly confront some deeply embedded racist and sexist attitudes:

Officer's viewpoints about racism come into play in their decision making every day, supervisors viewpoints come into play. You know I can remember, I, and I won't name names, but I, I replace a [type of position] uh when I was coming up I went into a [level] security penitentiary and I replaced the [type of position] there, and he was, he was walking with me showing me the unit that day, and as we went to the unit he was pretty obviously, the staff didn't know him, and he'd been there, well they knew him but they didn't know him in the back, and it was pretty obvious he never went in the back, because as we went into each office everybody would jump up and say, "oh [name of position], I'm so surprised to see you—come on in" and so he could see that I could see this, and so as we were walking up he makes the comment, he says,

“You know I know you can tell that I don’t come back here very often” I said, “whatever” and he said, “well I can’t come back here because I’ll lose my job” and I said, “really” he said, “these ‘f’ in women just piss me off so bad I can’t do my job” and I thought that stunned me that that came out of a [type and rank of position]. He was talkin about Black inmates, he said, “yeah I I would just punch one in the mouth, I’d lose my job” and I thought, well that was a, I said, “that’s not the reason you’re not coming back here. You’re not coming back here because you don’t know how to come back here, you don’t know how to deal with inmates.” Then I noticed that his staff was down there, I mean I heard two or three times the first week I was there, and the reason they’d do this is because he did it, so I basically told everybody at the first staff meeting, I said, “What I’m going to talk first round about is when somebody used that word [N-word] and punch ‘em, punch ‘em in front of a bunch of Black people” I had to suspend this dude. I suspended him for 10 days, I mean I got into his pocket. And I’ll never forget that the disciplinary committee looked at me and said, “can I tell you something [position title]?” I said, “sure” and he said, “I use that word, my grandfather used it, my dad used it” he said, “my son used it” and he said, “you know what? My grandson uses it” I said, and that’s probably [year in the 90’s decade] I said, “either you’re gonna have to quit using that word, or at least don’t use it here, cause next time you’re gonna lose your job” and, those kind of things would happen

in the prison system from time to time, so, I think a lot of it, how much it affects you has to do with how little tolerance the warden and supervisors, any of them have.

It wasn't until sometime after the prison reform had gone into effect that the prison began to put anti-racist and anti-sexist employees into the higher level positions. While it was not universal among all higher level officials to uphold anti-discriminatory policies, some of the newer individuals representing subordinate groups began to use institutional sanctions on employees who violated the discriminatory policies against both other employees and inmates.

Surely enforcing those policies was difficult for those representing the minority viewpoint in a culture that is heavily based on preserving tradition that is deeply embedded in systemic racial and sexist hierarchical arrangements and practices in general. Employees of color, even those in higher level positions who participated in this study generally reported they dealt with the racism by usually ignoring it as best they could and avoiding bitterness and confrontation. Most certainly, as Bailey correctly observed, racism and sexism operating within the employee culture was used for control of both the staff and inmate populations. But it also operated to exclude women and minorities from the dominant power system that has governed the Texas prison system since its very existence, for nearly a century and one half of exclusive domination by white males. It will likely take several decades at minimum to significantly reduce these types of beliefs and attitudes, at least at the individual levels, within the prison system, though clearly much more is needed to dismantle the institutional and systemic racism

and sexism that continue on in the larger societal structures at the state and national levels that encourage those within the prison institutions to remain firmly in place.

Perceptions of racism and capital punishment

As noted throughout the manuscript, since the rise of incarceration rates over the last several decades, so too has been the rise of executions throughout the nation since the reinstatement of the death penalty in 1976. And since Texas reinstated the practice of executions at the state level in 1981, it was quick to become an outlier compared to the rest of the nation in terms of remaining number one for both the number of executions it has annually conducted and rates it has executed their condemned inmates (Pickett 2002; Marquart, et al. 1996). This point is important to keep in mind because despite the systemic and institutional racist and classist trends of the criminal justice system, people continue to argue it has nothing to do with racism, even though the overwhelming majority of those executed are disproportionately of color and from poverty.

In contrast to when Texas carried out executions with the electric chair where the racism in general and associated with the system was more apparent, capital punishment with lethal injection since the reinstatement has appeared to lack any racial bias for the participants in this study. At the times the interviews were conducted, Texas was nearing the 500th execution since the reinstatement and of those, all participants cited the number of executions for each racial group (African American, Latino/Hispanic, and white) have been approximately 1/3rd for each group. In 2011 the inmate populations sitting on death row were 31% white, 39% black, and 29% Hispanic (Texas Coalition to Abolish the Death Penalty 2011). While they did not keep count of the inmates they executed by

race, they recalled an estimate of roughly equal proportions of group undergoing executions. Only two participants, Francis, and Bailey, raised the issue of where the death sentences come from in Texas, which indicated inherent racial bias within the system itself.

Despite the suggestion of approximate equal proportions, no participants recognized as groups, the racial make-up of Texas was whites at 45%, Hispanic at 36%, and Black at 11.5% of the total population in Texas (Texas Demographics 2013). The racial bias towards Blacks in particular stands out because of the approximate equal numbers being executed suggested by the participants. Their implicitly assumed that equal representation of race and ethnicity in the executions was somehow fair because the proportion of those executions was about equal in the general population. This discussion will go into further detail in Chapter VI as statistics can be deceptive. Based on the toxic history of the U.S. and in the South, most are able to readily see how lynching was an inherently racist practice. But it is not so easy to see how the death penalty is racist when the number of people being executed is of approximate equal proportion between groups. This point was heavily demonstrated by most of participants who asserted with confidence that the death penalty in Texas is not racist by citing the very statistical claim noted above while lacking further theoretical support for their conclusion¹². This very assertion was shared among all the participants in this study.

¹² Accusations of racism tend to elevate fears and emotions for people in general. But inquiry about racism and capital punishment with this particular group was more difficult because they were representatives of the state enforcing the laws. Nobody wants to be accused of being racist, participating in racist practices, or ultimately upholding fundamentally racist policies. The suggestion that capital punishment is not racist in Texas using those estimates is likely a psychological safety mechanism used to cope with the

Some participants of color also suggested capital punishment in Texas is not racist because their firsthand recollections on the people they executed seemed about the same for each group.

When asked if executing people of color affected or changed their views on racism in U.S. society, unanimously all participants said it did not. Tracy for example replied:

No it didn't. The uh, if you look at the numbers of those executed, well first look at the numbers of the population of death row in Texas, it, there is a huge number of Blacks on death row scheduled for execution. But then you look at the, at the ethnic make-up of those executed, you're going to find a large number of white people who have been executed, which I think skews that, that figure in the end of uhm death row population. I don't think people realize how many Caucasians, how many whites have been executed you know over that period of time, which I think jumps, uh up in the Black population on up on death row. Does that make sense?

Tracy's views on racism and capital punishment did not change with regard to the high number of American Americans put to death, but what seemed to be a large number of whites put to death stood out most.

So while it was stated their views did not change, for some, they felt racism was

difficulties in having taken part in controversial work duties and their way of deflecting any accusations of racism that could be directed at them as individuals.

involved while going into the work and throughout it and others felt that racism never played any role at all. The small handful of participants who suggested capital punishment was still a racist practice exhibited some level of discomfort. The apparent discomfort of suggesting it was racist seemed to be related to their concern of speaking badly about the prison rather than about racism itself *per se*. The former institutional identities of the participants seemed to be inherently connected to the other workers and with the establishment itself. Indications of individuality was lacking from their responses. The only time recognition of individuality seemed to emerge to any noticeable degree was on the rare occasion when they began to speak out against capital punishment. As described earlier by Robin, this involved seeking out counsel about concerns or questions they had regarding their participation in private or engaging in personally developed post-execution coping rituals relied upon when not in the company of others.

Most participants in general were very comfortable with discussing racism, just not racism associated with capital punishment within the prison institution. For example, while reporting that executing people of color had no effect in hinting that racism was associated with capital punishment, Tracy preferred to focus the years when electric chair was used for executions prior to 1965 rather than those that took place after 1982 when s/he worked with capital punishment:

Well you know, and and it's an interesting thing that executions started way back in in, I forget what year they started in because like three- those are the facts... Yeah I thought that was an interesting stat, I think I just,

uh, executions stopped in '65 by electrocution and I think they started in 19, I can't remember the day it was, like 361th person executed and out of that 361, two hundred and ninety something were African, [three] hundred and sixty seven people were executed and out of those 367, 299 were black and that paints a different picture. That's what happened during that time, I don't, I'm not saying it's right or it's wrong but American. That's an interesting statistic.

Tracy made no mention of the post 1982 statistics that were used by the other participants who argued capital punishment during post-reform is not racist in Texas. Rather Tracy avoided those statistics and focused on the historical knowledge tapping into a systemic theoretical framework involving some level of counter-framing when answering the question.

The statistical observations between the two periods (electric chair and lethal injection) for the two different eras do seem to paint very different pictures at face value and can lead to very different conclusions for people not familiar with statistics, again, a point we will venture into further in Chapter VI. But perhaps most importantly, they demonstrate the importance of having a good theory to be operating with when analyzing the numbers in a comparative manner and determining whether or not racism is involved with capital punishment. While both sets of respondents presented strong points for their answers within timeframes they were using to support their responses, neither directly addressed both eras as being interrelated with an absolute answer of either agreeing or disagreeing on whether or not the death penalty as an institution is

racist. For the participants, structural continuity seemed to be missing and the two eras seemed to be cognitively disconnected. The building tender system is related to an older and outdated system, times when the electric chair was used. Lethal injection is associated with the new modern post-reform era, the era that is said to have dismantled the notorious practices of cruel and unusual punishments and corruption associated with the past. Certainly post-reform time has desegregated inmate populations and unlike earlier times, has executed larger number of white inmates leaving the participants to conclude capital punishment was not racist when they had participated in the executions.

CONCLUSION

Marquart, et al.'s theory has been reviewed observing that the logic of exclusion is a key feature of their theory. They argued the death penalty is an inherently racist practice in the U.S., using the State of Texas as the central focus to illustrate the theory. Marquart et al. begin their analysis from the earliest years and show that Texas has remained one of the leaders in the nation for capital punishment ranking third in the nation for number of lynchings at 335 (behind Georgia and Mississippi) between the years of 1889-1918. The racial disparity with the practice of lynching was much more apparent than with lethal injection.

“Old Sparky” the electric chair was placed in the Walls Unit in 1923 when the jurisdiction of capital punishment in Texas was transferred to the state level from the county level. In Texas, the practice of county level lynchings overseen by the local county Sheriffs had been centralized to the Walls Unit where correction employees would execute all people from various places around the state who were sentenced to

death, with the electric chair. Even during the era capital punishment was carried out by electrocution, systemic and institutional racism was still easy to see as, “during the first year after capital punishment statute took effect, twelve of the thirteen persons electrocuted were black; the thirteenth was Hispanic” (Marquart, Ekland-Olson, and Sorenson, 1996:186). Throughout the next century, Blacks would continue to be at greater risk of being sentenced to death. More specifically, Black men over any other group were at higher risk of receiving death sentences for convictions of capital crimes involving white females where in contrast, “...not a single Anglo capital offender was executed between 1934 and 1990 for the killing or rape of an African-American victim” (Marquart, Ekland-Olson, and Sorensen, 1996). Again, the race of the both the presumed offender and victim has always played an essential role in how racism operates in the U.S. criminal justice system.

In contrast to earlier times, the disparity regarding the proportion of people undergoing executions in Texas is less pronounced between groups, making it difficult for most individuals in this study to see how the continued practice is still racist and inherently exclusionary in nature. There is a general consensus that racism in the larger society and even in the institution is still an issue, but again they had a very difficult time in seeing how racism is involved with capital punishment. It may be too, that much racism is understood to largely operate at the individual levels and they did not observe overt racism operating within the behaviors displayed by the execution teams when the executions were being carried out. Professionalism was expected to be upheld and usually it was, as reported by the participants. Though the fact that they cited the

statistics by race to answer the questions indicates they are somewhat familiar with the idea of institutional racism. Their statistical assertions fell short of comparing them to the state population demographics. When the state demographics are compared to numbers representing each group sentenced to death in Texas, one can see the continued racial disparities through examining the disproportionate numbers of black and Latino inmates being executed in comparison to white inmate populations—a point that will be re-visited in more detail in Chapter VI.

The thesis for Marquart et al.'s work regarding the relationship of capital punishment and racism is, "The source of this southern concentration of both illegal lynchings and state-sanctioned executions is rooted in a cultural readiness to engage in what we would call a logic of exclusion" (1996:17). The data they used demonstrates the theory, though the data from this study broadens their discussion to include the role religious beliefs and political values play in reinforcing the logic of exclusion through exploring the perceptions and belief systems of those who have worked directly with executions. This research argues that, as in the past, dominant religious systems and political values that are biased in favor of white privileged society continue to legitimate and racist and classist practices, as with capital punishment most visibly in Texas.

Through interviewing retired prison employees who had worked with capital punishment and examining their perceptions and beliefs about punishment and incarceration, we were able to see how the system relies on biased religious authority to legitimate the logic of exclusion. Even though the prison has developed a progressive inter-faith chaplaincy program for the prison inmates in Texas (TDCJ 2014), it is still the

case as presented above, that chaplains who work with executions have to be able to either subscribe to, or have the capacity to legitimate with religious authority the theological position that the state has the right to take lives. The chaplain's role, at least the chaplain who is assigned to work with the executions versus religious counsel and representatives the inmates may request for their own spiritual needs, in the execution process is quite complex. Should all religions be equally recognized by the state and within the prison, the death penalty would have to be waived for those who belong to a faith that opposes the death penalty, and those who belong to faiths that subscribe to religions that legitimate capital punishment would respect that. And, vice-versa. But that is not the case.

This practice of religious exclusion continues and inherently silences and discriminates against any inmates who subscribe to different faiths, beliefs and/or interpretations of the Bible. Politically, Texas is less democratic compared to other states in the nation, but it is probably fair to say that none of the states are true democracies. The State of Texas is dominated by politicians who represent very specifically the interests of the privileged elite white society. Through politics, they are able to have their religious orientations embedded into public policy and enact laws and policies that are very damaging to groups of color and people living in poverty. Religion and politics represent two major institutions that typically guide and govern social mores and values, despite the popular claim of there being a legal separation of Church and State.

Through social exclusionary practices embedded in public policy, the dominant groups force their own beliefs and value systems designed to privilege themselves

relative to entire populations, often where subordinate groups think and feel quite different while lacking the power to have their thoughts and positions heard. In the case of capital punishment in Texas, it goes further as this research argues; there is no separation of Church and State. That deliberate lack of separation occurs through the use of biased religious morals and values held by the dominant group because sound moral legitimacy and support from the medical fields is missing—those professional and scholarly areas where professionalism is kept separate from religious institutions. This is not to say there is no racism or other issues with the medical fields, as there most certainly are, but that discussion and focus are beyond the scope of this research.

As we saw, both the dominant religious and political institutions have been primary authoritative agents used to maintain the power and control necessary to uphold and maintain the exclusionary practices the U.S. was ironically built upon. Even though the larger social structures have undergone significant, if not even seemingly radical changes, such as with the abolishment of slavery and dismantling of the racial apartheid in the 1960's, the treatment and caste-like positions African Americans and other Americans of color experience in this nation continues. Issues of racism and classism persist into current times with the criminal justice institution being one of the primary infrastructures in place to maintain the continued social inequality, through the enforcement of continued social exclusionary practices, laws, and policies.

CHAPTER V

THE MCDONALDIZATION OF CAPITAL PUNISHMENT

RATIONALIZATION OF THE PRISON INDUSTRY

Western civilization seems to have come quite far historically. After all, things such as slavery, Jim Crow, and public executions and corporal punishment have largely been abolished. We have moved away from lynch mobs, ministers, professional executioners and others publicly administering corporal punishments such as whipping prisoners to death (Tolnay and Beck 1995), and from the trustee penal structures that had been found unconstitutional by the Supreme Court through the case of *Ruiz v Estelle* (1980). Significant changes have been made in how society defines and handles crime and deviance. But have things really changed as much as we think, or would like to think? Maybe it's the case that such social practices have not been fully eradicated but rather have only changed form. For example, some argue slavery has never been fully abolished and indeed is still in existence through the use of prisoners (Perkinson 2010). Others argue that while society has been legally desegregated, Jim Crow segregation is still a problem *de facto* through the major institutions essentially resulting in *de jure* re-segregation through the use of the criminal justice system (Alexander 2012).

In contemporary times major inequalities still persist and are continuously reinforced through the criminal justice system, but this chapter will evaluate the role the rationalization of the criminal justice institution has played in upholding major forms of structural inequalities that are popularly believed to be things of the past. This chapter

will further evaluate how these structures have affected the roles of the prison employees who work with capital punishment.

With the apparent progress, where then are we now? It seems that with strides towards what is widely perceived to be progressive social improvements come equally steps taken backwards. For example, in the case of the prison reforms that have taken place since the 70's, while medical and dietary improvements have been made, the masking failed ideas with seemingly innovative legal reforms have emerged. We have also moved far away from the penal institution ideologies of William Penn and Benjamin Rush that had originally envisioned penitentiaries as a humane alternative to practices as corporal and capital punishment. For them, penitentiaries were rather supposed to be places for individual and social reformation and penitence. They had argued that despite popular belief that deterrence was effective in controlling crime; human rights were being violated with corporeal forms of punishment. As time passed, despite their humanitarian visions, unintended consequences began to surface with their non-violent penal practices, such as learning the harms of solitary confinement that were otherwise intended to be rehabilitative. Since the emergence of prisons and reformations aimed at rehabilitative efforts, society has slowly reverted back to retributive ideologies and philosophies (Cole, Clear and Reisig 2010). Contemporary prison policies have necessarily moved away from the very thinking that led earlier thinkers to embark on major punitive reforms of their times.

In expanding the work of prominent sociologist Max Weber on bureaucracies and rationalization, George Ritzer uses the fast food chain McDonalds model to illustrate

how society has been moving towards rationalization though a bit different than bureaucracies. Weber had referred to formal rationality as the quest for identifying the optimum means to given ends that are shaped by rules, regulations, and larger social structures. Once the rules become institutionalized, they replace individual level decision making processes as the rules in place dictate the choices all people must then make in any given situation. The four basic dimensions of rationalization as related to bureaucracies are: 1. Efficient structures for handling large numbers of tasks requiring a great deal of paper work; 2. Emphasize quantification of as many things as possible; 3. Operate in highly predictable manners; and 4. Emphasize control over people through the replacement of human judgment with dictates of rules, regulations, and structures. Thus, rational systems are dominated by the core characteristics of efficiency, predictability, calculability, and nonhuman technologies that control people (Ritzer 2006).

Like bureaucracies, the rationality of McDonalization too often serves to hinder the very goal aspirations it claims to have achieved. While Ritzer does not claim fast food itself is the ultimate expression of society, he argues that it is a reflection of the present-day paradigm for future developments in the modernization of societies throughout the world. For Ritzer, a rationalized society contains the following qualities: “efficiency, predictability, calculability, substitution of nonhuman for human technology, and control over uncertainty” (1983: 371). The McDonaldization theory has been applied to many topics such as urbanization, mass distribution, the commercial industry, consumerism, the family, prisons, and so on (Ritzer 2006), but Ritzer’s theory

has yet to be applied more specifically to capital punishment. This chapter is devoted to the application of the McDonaldization theory to capital punishment and will be used to theoretically develop answers to the research questions on how and why it is that people who enter into the field of corrections for employment eventually come to participate in state sanctioned executions. We will see how the responses from the participants in this study reflect the patterns of the core theoretical elements of Ritzer's McDonaldization theory highlighted above.

More specifically, Ritzer's theory addresses the major theme of rationalization as communicated by the prison workers when describing this particular form of murder articulated in a manner that routinely reflected the larger desensitizing and emotional detachment processes embedded in the social structures of the prison institution. When trying to express personal emotions related to the death work, the retired participants still echoed the deeply internalized socialization processes of the total institution that routinely operated through a framework that humanized the prison workers as persons and dehumanized the prison inmates as non-persons they put to death. This cognitive division reflects Marquart et al.'s inclusion/exclusion theory, as well as Erving Goffman's work on *Asylums* where the patients and inmates were reduced to the near equivalent of objects by the staff. In presenting their former work through this reflective lens, it becomes apparent that perhaps this framing was necessary for them to be able to answer the questions in this study. In a sense, through memory they were stepping back into the shoes of the former "other" self when answering the questions—differentiating the work they carried out roles fulfilled as related to capital punishment while at the

prison, from who they are as individuals at the time of the interviews. When working at the prison they were products of the institution whereas at the time of the interviews, retired from the work, they were parents, grandparents, or fulfilling other roles signifying different master statuses.

Emotional Detachment

As rather straightforwardly asserted by the participants in this study, capital punishment in and of itself is murder and they, as members of the execution teams representing the State of Texas, were in fact, contributors to acts of murder. When participating in the interviews, one of the features that stood out most was the level of sensitization most participants had regarding involvement with the act of taking another's life. In many cases this incredible visibility of lack of affect seemed to reflect a deeper internalization of the socialization of the institution that emphasized "professionalism." This entailed either internalizing personal emotions or finding strategies that created an emotional detachment between the prison workers as individuals and the work they were engaged in so as not to make it personal in any way.

The psychological and emotional detachment between the retired prison workers and the inmates as a consequence of the rationalization process was apparent as the participants never referred to those executed by their names or other characteristics that personalized them as human beings. The only exceptions where the inmates were personalized were with either some notable high profile cases or particular cases that had bothered them in some way. As we will see later this disconnect with the inmates was so

prevalent that some retired prison workers even used metaphors that compared death row inmates to animals that are need of being “put down.”

While this type of professional emotional detachment is perhaps to some extent a necessary protection mechanism used to aid in the rationalization of their past participation in the death work, undoubtedly the institutional structure of the prison system and social training of the prison employees from the onset of their employment played a key role in shaping the way they would come to acquire an emotional distance from their work with the condemned inmates. The consequence of the prison employees developing emotional detachment facilities to varying degrees with regard to the death work is an empirical consequence of the rationalization process.

In describing the first execution witnessed, Bailey captures the emotional detachment operating at the group level coupled with many elements of Ritzer’s theory (efficiency, calculability, and predictability) we will cover throughout this chapter:

Well for the staff’s sake, I mentioned to you earlier that the very first one I was, saw, it was the matter of factness of it, just unfolded like, like you would get up to get a cup of coffee, it’s the same kind of process, it just unfolded in a [exact] manner, which was really weird to me. And then later I realized, it has to be that way, because if there was a big drama every time you did it, whaling and screaming and, it would kill your staff, I mean it would make it so hard on those people who have to carry out this job.

The retired workers shared similar observations and continuously emphasized the importance of maintaining the highest levels of professionalism and proper prison official etiquette at all times. Their articulation for the level of respect shown for the inmates they were executing was conveyed through emphasizing their own emotional detachment along with the humanness of the execution method. Their unchallenged and unreflective adherence to the highly routinized rituals and methods of the execution process were the central perceptive features signifying they had treated the condemned prisoners with the highest level of respect and dignity. The emotional distance sustained their socially constructed roles as actors within the total institutional setting, and cushioned their conscious as private individuals. To understand this in greater depth we will look at each theoretical concept as related to this study individually.

EFFICIENCY

The theoretical dimension of “efficiency” as outlined by Ritzer refers to the optimum method of getting from one point to the next. For McDonaldsization, this means the best available way of moving from hunger to being full without concern for quality in terms of nutrition or even safety. The safety regulations are upheld just enough to optimize efficient service and sales while avoiding potential lawsuits and bad publicity.

With regard to carrying out executions, in plain terms, it’s the best available way of moving the prisoner from life to death. Similar to death camps, in the case of the German Nazis, many methods of execution were used. The Holocaust began with individual level executions to large groups being executed at a time with the gas

chambers and so on. Executing individuals at the individual level, particularly if there is time to become acquainted enough with individuals to see them as human beings, can make it emotionally difficult on the executioner(s) and those participating in the executions. The component of efficiency is dehumanizing for the individuals working with executions, in that removes the emotional attachment and responsibility from the actions involved with taking the lives of other human beings. This particular theoretical component means minimum time durations with each unit, in this case human beings; they work with maximizing the potential output of executions.

With McDonaldization of capital punishment, the individualized assignments for the prison employees were quite similar to working at a fast-food restaurant, where efficiency is maximized by several individuals focusing on individualized tasks, while collectively preparing each meal. This is quite different from a chef or cook whom prepares entire entrees for patrons. While there is still a division of labor in kitchens where chefs may have prep-cooks who prepare ingredients for the main dishes (making sauces and dicing vegetables, etc.), the chefs are able to use some level of creativity and variation with their dishes. In the case of executions, however, it is each team member concentrating on their own individualized task mutually exclusive to those of others, to carry out the collective goal of the execution.

In contrast to the chef, the mastery of individual tasks reduces variation between the items ensuring less room for any type of hang-ups or complaints. With things as hamburgers perhaps there is room for complaints in comparison to the execution process. Even the slightest deviation in the capital punishment process can result in time

lost not only during the immediate event, but necessary attention thereafter. Ideally, according to the participants, each execution must be carried out perfectly so the entire process runs smoothly and so the execution team can cognitively move away from the event as soon as possible when their participation is complete. Botched executions can result in extended attention such as meetings addressing issues related to the errors associated with the execution case. Even further, difficulties in moving away from the executions can be even more difficult through not only the personal memories, but things as the newspaper and media presenting the cases in various lights. Such things can affect the efficiency component when the prison employees find it more difficult to work with executions and ultimately quit. Time is necessary to train new employees to work with the executions. But on the flip side, with high turnover, it is easier to train new team members with only one task they are responsible for rather than single individuals who are responsible for many.

Because efficiency is a core element of the execution process, similar to the German Nazi's studied after the Holocaust, the participants in this study who were directly involved with capital punishment seemed to ignore the issues of whether or not the larger goals of capital punishment and their own, as well as the inmates needs as human individuals, were adequately being met. The "law of the land" ideology was referenced during the interviews when asked questions regarding personal responsibility in the process—this is parallel to Nazi military officers following their governmental orders from above. The other response was that lethal injection was a humane way to take the lives of others, if capital punishment were necessary. Most said they were

merely following the orders of the state. Reflection that involved personal responsibility was difficult for most. To some degree, it should have been as this research argues the responsibility of their actions rests with the state. The participants in this study were products of the total institution they had been employed at for many years prior to their involvement with the capital punishment process.

Furthermore, the distance from personal responsibility made it easier for the participants because their duties and responsibilities were often inherently disjointed. With each participant having separate duties they were to focus on with the greatest precision and mastery during the executions, the ability to analyze the entire process was minimized and cognitively fragmented between the execution team members. While some of the higher level administrators were overseeing the entire execution process at each event, their focus was strictly limited to each event. Their jobs were to ensure the lower level members were fulfilling their duties with each execution, rather than to critically examine the larger institutional structures that dictated capital punishment in Texas.

It's difficult in Texas because the specific goals of capital punishment are not specified. The larger Texas culture seems to imply the purpose of the death penalty is related to retribution, deterrence, and incapacitation even though such goals are met through incarceration alone or have been shown to be ineffective, particularly in the case of deterrence (Austin 2001).

Satire and Capital Punishment

The notorious reputation for the lack of goals and general acceptance of capital punishment being an integral part of the State of Texas without questioning the goals has become a larger social phenomenon. This reputation has moved into the comedy world appealing to blue collar workers and captured by Texas born satirist and comedian Ron White who presents his material from the viewpoint of the “redneck” looking from the inside out (Spong 2006). In a stand-up act he says:

I get chastised publicly and in the media for my position on the death penalty and uh they don’t even know the half of it because in the Moussaoui case I’d wanna be the guy who set the execution date and I’d set it for 1:00 a.m. the day they set clocks forward (audience laughs with applause) just so I could walk in there and go, “well it looks like you got about another hour Moussaoui” “Nope spring forward asshole” (audience harder with applause).

While it’s not entirely clear what his own personal position of the death penalty is, the gross exaggerations of his humor seem as though the fallacies of capital punishment should be obvious to the audience. But given the social characteristics of the target audience that does not seem to be the case as applause emerges when the punch lines suggest Texas is eager to put people to death rather than when the obvious satiric points are conveyed. Given White is a Native Texan and is somewhat educated about the death penalty, more than likely he is aware that the majority of people put to death in Texas are Native Texans who have been convicted of murdering other Native Texans, as

well as the controversial issues related to Texas putting to death developmentally disabled inmates for example.

Such otherwise sobering topics are incorporated into the material of his stand up acts. Most certainly it is not true that no Texans commit murder and the only murders that occur in Texas are from outsiders. Nonetheless, he exploits that redneck “Trespassers Will Be Shot and Survivors Will Be Shot Again” stereotypical mentality of the Texas culture and applies it to capital punishment with the following where laughter was exhibited throughout:

The biggest difference between California and Texas is we have the death penalty and we use it. (audience applause) That’s right, if you come to Texas and kill somebody we will kill you back. That’s our policy. We’re trying to send a message to the rest of America and the message is, “go somewhere else and kill people” go to California they don’t give a shit. I was watching a case on CourtTV I got so mad steam was shootin outta my ears. This guy’s convicted of a triple homicide, this guy kills a grandmother a mother and a granddaughter without provocation, a crime so heinous I can’t even fit it in my head. He’s sentenced to death by a jury of his peers and right before it comes time to carry out the sentence, a group of people, on his behalf, *on his behalf*, stand up and go, “We can’t kill ‘em. He’s too crazy to know we’re killing him.” Then what the hell are we arguing about? (audience laughs) If he don’t know the difference and it makes me feel better (makes a “well?” gesture and audience

laughs)... We're trying to pass a bill right now through the Texas legislature that'll speed up the process of executions and heinous crimes where there's more than three credible eye witnesses, if more than three people saw you do what you did, you don't sit on death row for 15 years Jack, you go straight to the front of the line. Other states are, (audience applause) other states are trying to abolish the death penalty (holds up whiskey glass) my state's puttin in an express lane (audience applause)....

The pro-death penalty satire is captured by the audience indeed even though the gross exaggerations and obvious issues with applying the death penalty to the most vulnerable of inmates were quite apparent. How the audience interprets the humor likely varies as well. To possible anti-death penalty observers, White may be perceived as using satiric humor to magnify the serious issues related to the death penalty. To pro-death penalty and or neutral observers, they might be unaware or have ignored these issues and find the perceived gross exaggerations rather humorous. White's material can be interpreted, as with other forms of arts and entertainment, in a variety of ways.

The comment of putting in an express lane to carry out executions in Texas speaks volumes as well. The efficiency component meets the goal of executing people in larger numbers and moving from life to death faster than other methods, but it does not necessarily address the larger goals of capital punishment in Texas. For example, a clearly stated goal might be something as, "Through enforcing the death penalty in the State of Texas, we will see the murder rates decline by half." Yet there are no such explicit empirical goals and outcomes the state seeks to achieve.

And the humor highlighted above, as with the rest of the discussions or debates on capital punishment, fails to highlight the fact that there are human beings behind the prison scenes who have to carry out the executions. Increasing the number of executions is not in reality humorous for the State of Texas and especially the workers who have to carry out the executions. This use of humor undermines the seriousness of the issue and may serve to legitimate the practice for those who are most uneducated about capital punishment, as well as reinforce a deeper appreciation for the practice among those who hold a pro-death penalty orientation. It may serve only further reinforce negative stereotypes of Texans and the State of Texas as well, for those who are against the death penalty and/or are highly educated about capital punishment.

It's clear that not all Texans are rednecks who smoke cigars and drink whiskey, and in favor of capital punishment. Texas is one of the most diverse states in the nation. But further, the humor demonstrates the significance of the theoretical component type of efficiency and the role it plays in the irrationality of rationality emphasized by both Weber and Ritzer.

Efficiency as the Ends Rather Than Means

Through the literature and findings over the years has established that capital punishment does not serve as a deterrent. The participants in this study asserted with confidence that capital punishment does not serve as a deterrent, but were unable to suggest why it was being carried out beyond legitimating its use with religious beliefs and leaving open the question of what the larger goal is as legitimacy and purpose are two completely different topics. If it's for retribution as the Bible suggests for some,

then the prison employees are truly serving as tools for the state to kill on behalf of the person(s) who was/were harmed. It's further the case that there is no separation of Church and State, an area we will revisit later in this chapter. But the participants in this study were not participating in this work out of personal vengeance towards the inmate, nor did they claim to represent the retributive purpose as a state employee carrying out executions. They presented themselves as impartial prison employees involved with the process whom did not question the authority, laws, or purpose of the orders they were given and expectations the institution had of them while involved with the death work.

Incapacitation is the primary goal for managing those convicted of various crimes including capital offenses, for all penal institutions in the U.S. Incapacitation can be met through detention without solitary confinement for most death row inmates as previously shown with the earlier trustee system and currently demonstrated by inmates imprisoned for similar crimes, but who are spending life in prison without the possibility of parole. The participants in this study had explained that a death sentence presents a very different outlook on the inmate prison experience than those who are imprisoned without life sentences. Given that many death row inmates are prepared to undergo their executions without a fight to "escape" living any longer the conditions of solitary confinement, it seems as though this level of often long-term solitary confinement model serves to buttress the misplaced goals of efficiency and perfection. Executing the living dead makes the work easier through lack of resistance and increases the likelihood of perfection, as understood by the participants in this study.

In questioning the application of the capital punishment sentence compounded with the impact of incapacitation, Francis observed during the transition of the death row inmates under the old trustee system working as employees of the prison to being transferred to the solitary confinement model:

...during all my tours of death row prior to this move, I saw them as a group, I didn't see them as individuals. I saw them behind cell doors, I saw them uhm in in their little work booths uh in the garment factory at death row, uh and I did not see them as a group when [the inmates were transferred from one location to the next] I saw them as individuals. I saw them one at a time and shackled down...At that time I think we had maybe right at 500 uh on death row in the State of Texas...I was somewhat surprised that a majority of them were meek, for a lack of a better word, docile, they didn't come across as dangerous...I'd say that about 95% of those individuals moved fit that bill, they, you know they were docile that they they they could have very easily been locked up for life, okay these are your typical uh child molesters you put a gun in their hand and they're deadly, you put a woman in front of them and they're deadly, you put a child in front of them and they're deadly, okay but you put them into a prison environment, they weak minded individuals and they could be put in prison for the rest of their lives as long as they didn't go back out and have that element.

For Francis and others, it is apparent that the inmates are being put to death for being convicted of a serious crime, but given most inmates functioned well in the regular prison setting for those who observed such, the larger state goals involving capital punishment were rather ambiguous.

Prior to the transfer, capital punishment had not been practiced since 1964. Many inmates were sentenced to death, but Texas had not been carrying out executions due to the prison deciding to retire the use of the electric chair followed with the federal level moratorium from 1972 through 1976. During this time death row inmates were incorporated into the non-segregated trustee system and instrumental in performing laborious tasks (often) beneficial to the inmate populations and overall prison operations. Rumors were made that Texas was planning to reinstate the death penalty during the last 70's but it was not until shortly prior to the reinstatement that the segregation of death row inmates to solitary confinement took place.

In comparison to the trustee system, it would seem that solitary confinement would be in conflict with the concept of efficiency due to the lost services and benefits of the death row inmates. Counterintuitively, however, this inmate segregation was a strategic move to maximize the efficiency of the execution process itself that was non-existent for the many years prior. Ritzer explains that while Weber applied the concept of efficiency to bureaucracies so they could meet their arrays of administrative tasks, he pointed out that efficiency was an important component of the rationalization in Nazi Germany used to collect and murder millions of Jews and other people (Ritzer 1983). In such situations, where fascism in this case dominates, numerous people are assigned to

small specific lower-skilled tasks they mastered causing them to lose sight of the gravitational seriousness of the bigger picture. Such examples as with Nazism in Germany with genocide, was also Fordism in the U.S. involving the exploitation of workers related to the automobile industry.

In the case of bureaucracies, efficiency comes to represent the ends rather than the means as the Nazi's were so focused on the efficiency that they failed to realize the total purpose of the camps was to murder millions of people. But the larger goals of capital punishment are not entirely clear and none for the State of Texas could be found. This leaves us to question whether practice of capital punishment is a well-functioning state goal or a narrower organizational goal? In the case of the prison workers in Texas, efficiency representing the ends has resulted in the prison employees failing to question the lack of explicit purpose and clear goals regarding the practice of capital punishment again, beyond their, if applicable, theologically supported belief that the state has the right to take somebody's life.

Goal displacement

As highlighted above, the theoretical component of efficiency results in what Ritzer calls the "displacement of goals." The actors become consumed with mastering their disjointed duties creating a cognitive distance with the larger goals (or critically questioning the lack of) of the final outcomes of the collective actions. More so as applicable to the case in this study, because policy makers purposively communicate official goals in very vague and general terms (Kerr 1995), goal displacement emerge in social agencies and institutions when politicians legislate broadly identified social issues

into abstract policies the bureaucracies of the institutions are supposed to inexplicably translate into practice (Bohte and Meier 2000).

Because the performance of the actors caught in the webs of bureaucracies are assessed on the output of their work rather than the amount of time and contributions put into the goals achievement by the larger institution, they tend to present their work in the best possible light (Bohte and Meier 2000). Nothing could be truer than with the findings of this study where the emphasis on the death work is ensuring each step of the execution process is carried out with perfection coupled with the lack of concern by the state and prison institution regarding the personal well-being for those who have firsthand involvement with the executions. The workers are not rewarded for doing well; rather the pressure comes from fears of criticism for doing poorly by those from above and the larger society. This perfection involves each member of the execution team mastering their roles and their duties so there is virtually no room for error. When asking how the execution process can be improved, without hesitation Robin responded:

Their system that they're going through right now, and the process that their doin, is, is so textbook, so down to the dot. I mean it's perfection. It's uh, to have individuals that work that, you teach, you know, just like myself, I, if I'm ready to bring someone else into this, to be on this team, you know to have him back there and he would observe and he would, he would, he would learn by observing how to conduct this procedure. And that's the way, uh, I would, I would train all my, all my individuals that I thought would work back there. I would never ask a sergeant or a

lieutenant, hey you gonna be on the tie down team, when we get back there you you tie down the right leg, prior to him practicing in doing it, and walking through it, and participating in drills of it prior to doing it.

In addressing the excess pressure for perfection while speaking positively about the lethal injection process as carried out in Texas, Rylee captures the deeply complicated emotions involved from the viewpoint of somebody who has vast experience in working with numerous executions firsthand and how those feelings extend to all others throughout the nation that work with capital punishment:

Thank God that we do lethal injection and not uh, uh you know the electric chair and things like that because I think it does, and will have a high impact on the employees that have to do that as their jobs. Uh because of the violent way to, to, to observe somebody to die. I, I remember that uh when I was the [position title] that Florida had an execution that went wrong, uh in the electric chair and I thought, “thank, thank you Lord that we do lethal injection” because I thought about the staff in that, in Florida, because you’re already under so much stress, and everything has to go right you know. But everybody that I worked with and executions all those years, uh, I wouldn’t ask for any other better employees that I had, that’s why it was so successful really.

But for Rylee, the concerns of perfection extended beyond the fears of criticism from those above and the public, they extended to all directly implicated in the process, from the inmate to all those who worked with the executions in the past and present, as well

as, “for those people that, in the future that, has to do the (executions). I’m really concerned about them and really care about them.”

This acknowledgement of workers beyond their own teams in both space and time reflects Warden Cabana’s assertion in Chapter I on how the death penalty serves to only create more victims when he acknowledges all people who work directly with executions. The prison employees are caught in work that the state has ambiguously put into law and a large percentage of the state society supports without fully understanding what it is they are asking for and how their demands impact all who are directly involved, as well as others who are in any way implicated with the execution process.

Goal displacement expressed as the ends

Again, what makes this study unique to others of capital punishment is that most of the participants in this study have participated in quite often more executions in their own careers than most states have carried out in their entirety since the death penalty was reinstated in 1976. Because of the high rate along with the concentrated routinization of the process itself, most participants in this study had lost count in the number of executions they had participated in, further illustrating the concept of goal displacement through expressing the goals of their own work duties framed in perfection as the ends rather than the means. Rylee captures this phenomenon coupled with the emotional detachment effect involved when discussing an execution that did not go entirely as planned:

...That’s probably, and I don’t even remember the inmate’s name because we had so many, and I try not to have it personal because it’s just a

process you know. But that's what happened...Cause I talked to the [person and position] that night uh and the next day because I remember I went home sick to my stomach and I was drinkin Sprite, I visited with [person and position] the next day to check on him as a [title of position] to see how [person and position] was doing because of what happened that was unusual and [person and position] was, "well I was drinking Sprite last night too" *laughs* you know.

Such stresses alone create incredible tension and strain, but those effects are compounded by several-fold when errors, both within and beyond their control, emerge. Such consequences can lead to physical effects as well—the incidents where the process falls short of the “perfect execution” is an example of a misplaced goal within Ritzer’s context.

Again, such goals cannot be critically assessed by the prison employees when first, they are ambiguous and second, when they as correctional employees, have been trained to follow orders blindly and not question authority. The rank and file system that prevails in systems as the military and criminal justice system trains and socializes their cadets and officers to blindly follow the lead with an uncritical commitment and unconditional loyalty to the institution they serve. Should grievances arise, they are held first at the personal level then working up the chain of command blocking the ability to address questions of the larger goals and missions of the policies they have been ordered to enforce (Headquarters Marine Corps 2013).

As with the military, this socialization process begins at the onset of their training where: "...the culture within the Army, the social norms, and the hierarchy ranks within the rank structure reinforce the Private's perception of those possessing a higher rank have legitimate, expert, coercive, reward, and possibly referent power over them...Legitimate power is the perception that an individual's rank and position automatically gives them certain rights and authority" (Souza 2010: 4) holding equally true for employment in law enforcement settings (Meese III 1993).

Under the supervision of those who watch over the workers ensuring all of the organizational rules and regulations are being upheld as individual workers who have mastered their own roles and duties, combined as with a choir performing in perfect sync they reflexively uphold the structures by following the steps in the predesigned process that appears to satisfy immediate needs and goals of the institution. While all requirements of the process were so routinized without deviations, the pressures of perfection consumed employees to very high degrees. Rather than critically questioning whether or not the actual goals of capital punishment were being met, their primary subjective focus of the events at the individual levels were pre-occupied with the final immaculate outcome of each execution.

THE INITIAL DEVELOPMENT OF EXECUTION TEAMS

Reverend Pickett's (2003) recollections describes how the initial design of execution procedures and methodology for the execution teams were developed in a very short period of time mainly from scratch by Warden Pursley back when the Texas prison system was operated under the Texas Department of Corrections (TDC). As highlighted

earlier, in Texas, execution teams and procedures had not been in existence since the last execution that had taken place in 1963 with the electric chair “Old Sparky” leaving a significant generational break within the world of prison employees between those of the 1960’s and prior who worked with the earlier executions and the prison workers of the 1980’s and after who would come to work with the “modern day” executions carried out by lethal injection.

The retired participants in this study who had begun work at the prison during the 1960’s reported their employment began after executions had been stopped and only one had reported having any acquaintance with former prison employees who had worked with executions when they were carried out with the electric chair. Nearly two decades would pass before TDC would need to again accommodate capital punishment within its institution though with a different method. The high volume of executions that has taken place since 1982 has allowed for the many execution teams who have come and gone over a three-decade period to make modifications and improvements with the execution process as initially designed by Warden Pursley, making the Texas prison an institution that have become “experts” in the death work.

Since the reinstatement of the death penalty in Texas in 1982, during the same approximate time that the major prison reform was implemented in the Texas, the primary objective was to correct the existing human rights issues while abolishing the former building tender system that had been in place for the many decades prior. The building tender system relied on very few prison workers and resources to manage relatively large inmate populations and was economically lucrative for the state (Perkins

2010; Marquart 1986; Pickett and Stowers 2003). These institutional changes led TDC to absorb more responsibilities and control within the criminal justice institution resulting in the nation's largest state level penal bureaucracy in the nation. Reflecting the institutional changes and rapid growth was changing the agency's name from Texas Department of Corrections (TDC) to the Texas Department of Criminal Justice (TDCJ) (Texas Archival Resources Online 2012).

These changes likewise directly affected the management of capital punishment that was previously under the control of the warden of the Walls Unit. Prior to the prison reform in Texas, wardens were the highest ranked employees within TDC. With the rise of the prison bureaucracy, the post-reform changes resulted in a multilayered administrative hierarchy in TDCJ consisting of ranked regional directors and other positions that would operate above the wardens. These newer higher tiered administrative positions would eventually come to govern the capital punishment process with the warden and correction officers beneath them.

The responses from the participants in this study demonstrated the prison reform changes in the execution process since its reinstatement as their descriptions of events did not always match-up with one another. For example, some participants had participated in the capital punishment when the warden was the highest in command while others had participated when the higher level administrators were overseeing the executions. Such differences in the accounts provided by the participants could only be accounted for after events were placed on a longitudinal timeline that reflected the bureaucratic changes that took place in the prison over a couple of decades. For

example, some participants served on the execution teams from the time of the reinstatement when the warden was the highest in the chain of command through the rise of the bureaucracy when the administrative prison directors oversaw the executions. Still, others began working with the death penalty after the changes were made in TDJC. So there was variation in their descriptions of events, as with who were present at the executions and how they were conducted. Some recalled only the warden and the unknown executioner behind the two-way glass while others recalled the higher level administrators present. The rapid growth of the prison and many changes within were reflected in the rates of executions from the time the death penalty was reinstated. Most informants in this study had participated in approximately 100 executions. Their recollections, as noted above reflected the bureaucratic and administrative changes.

When asked what the prisons need to do to improve the work experiences of prison employees who work with executions, many had said nothing because they have mastered the process and procedures due to the experience with the number of inmates they have put to death in a relatively short period of time. Robin who had earlier asserted the execution process had been mastered and needs no further improvements concluded, “No, I mean they’re doing executions just fine, they just need to stop them.” The specialized and routinized mastery of the executions process Texas has minimized the possibility for botched executions to occur to virtually zero possibility. This maximized level of perfection achieved by the prison employees was not established for the purposes of legitimating capital punishment, but rather to minimize the potential harms and emotional pain for all people involved with, or associated with the execution

process. These strides for the protections were natural responses to the work, as was the case for professional executioners in earlier history. As we will see below, no pre-training or post-training was available to those worked the executions on how to deal with grief in the event any workers had negative experiences related to participating in the execution process.

CACULABILITY

The dimension of calculability, as Ritzer explains, is focused on the quantitative aspects of the products distributed, such as portion size and associated costs, and the services offered relative to the amount of time it takes to get the products. In the McDonaldization system the meanings of conceptions as “good” are translated to “quantity” (bigger is better) over “quality” and a quick delivery. The quantification of products coupled with efficiency and the feeling that they are getting more for their smaller sums of money leaves the customer with the satisfaction that they are getting a pretty good deal. However, this quick thinking, or lack of critical thinking, blinds the consumers from realizing that based on the high profit margins it is the owners of the fast food chains, not the customers, who are getting the best deals. This same logic holds equally true for capital punishment where it benefits the politicians and others who run on the pro-death penalty and tough on crime platforms while costing the tax payers of the general public billions of dollars.

Quantity Over Quality = Good

When applied to capital punishment, especially in the case of Texas, both quantity and quick delivery equates to notions of “goodness” as described by the

participants in this study. But Skylar explains the disillusion the State of Texas has been under with regard to this ideology:

...And you know uh and another thing, it's cheaper to keep somebody in prison for the rest of their life than it is to execute them...And that's something I think, I think now the public is starting to understand. Uh before the you know the thinking was, "Well it only costs \$72" or whatever it is for the for the for the chemicals and "we'll just execute them as soon as they get down there" you know (laughs) without any, any thought about uh uh uh uh uh the the the uh appellate process, you know.

Prior to drug companies refusing to sell drugs used for executions, Hennessy-Fiske (2012) reports that the cost for all three doses of drugs (sodium thiopental, pancuronium bromide and potassium chloride) used for one lethal injection execution session was \$83.55 in 2011 and went up to \$1,286.86 with the replacement cost of sodium thiopental to pentobarbital.

However, the pharmaceutical company that makes pentobarbital has expressed moral concerns with their product being used in executions (Gonzalez 2013) and because the European based pharmaceutical companies that manufacture the chemicals the State of Texas uses to carry out their lethal injections do not want their products used for capital punishment largely in response to public protest, some pharmaceutical companies have either quit making their products altogether or refusing to sell their products to the state (Pikington 2013; Sanburn 2013; Souppouris 2013; Smith 2012). In response, the state altered the execution procedure, "Texas used a single dose of the sedative

pentobarbital to execute a convicted murderer Wednesday, amid a shortage of drugs it once used in a three-part cocktail to carry out the death penalty” (Eder 2012; Brown 2012).

While the actual costs associated with purchasing the chemicals used to carry out executions by lethal injection may seem “cheap” so to speak, capital punishment is outrageously expensive for the tax payers when the total economic costs of the entire legal process with appeals included, is calculated. In 1992 the average cost to execute one inmate with all appeals and court costs included was approximately 2.3 million dollars—three times the cost of holding the inmate in a single cell maximum security facility for 40 years (Death Penalty Information Center 2013) and has been estimated to be up in the area of ten times the cost in 2009 (Sullivan 2009). Texas is a Republican state and while their dominant party has claimed fiscal conservatism, the tax payers have spent hundreds of millions to carry out the most executions in the nation. Even with a conservative estimate that does not take inflation into account, applying the 2.3 million dollar estimate of 1992 to the 503 inmates that have been put to death to date, the total costs have been no less than \$1,156,900,000. That price in comparison to the drugs the state spends to carry out the executions with the \$83.55 figure used as an average for the 503 inmates executed is \$42,025.65.

In addition to the costs, when error has been proven and death row inmates are exonerated as in the following case, “the Texas legislature, taking note of the 41 exonerations produced by modern evidence since 2001, passed an act to compensate those who had been wrongfully imprisoned. Dupree will be eligible to receive \$80,000

for each year he was imprisoned, plus an annuity, with a tax-free cash value of about \$2.4 million” (Horton 2011) and Anthony Graves another example of a victim who is receiving compensation of wrongful conviction (Soria 2010).

Arguably, no amount of money can correct these irreversible harms and damages, especially when innocent and living on death row with the date of scheduled death looming in closer and closer with every passing day. But the compensation is something. Nonetheless these errors are also very costly for the state. Sadly, nothing could be found on the state providing compensation for innocent victims who have already been put to death and exonerated or pardoned post mortem, in the state of Texas.

Quantity in conflict with consistency

Capital punishment is not a partisan topic. It is widely supported by both major political parties as demonstrated in 2004 where 80% of Republicans, 65% of Independents, and 58% of the Democrats were favor of the death penalty (Carroll 2004). While Texas boasts of the high number of executions they’ve carried out in comparison to other states, both Democrat and Republican governors have consistently upheld the capital punishment platform as Democrat Ann Richards oversaw 50 executions during her four years in office (Barnes 2011).

In suggesting the goals of capital punishment as being certainty and severity, Texas governor Rick Perry whom too is directly, though from a distance, involved with executions, defends the practice at the MSNBC/Politico 2012 Republican Presidential Candidate’s Debate (CBS News 2012) as follows:

Moderator: It's a question about Texas, uh, your state has executed 234 death row inmates more than any other governor in modern times (audience applause) have you (audience applause gets louder) have you struggled to sleep at night uhm uh with the idea that one of those might have been uh innocent?

Perry: No sir I've never struggled with that at all. The State of Texas has a uh, very thoughtful, a very clear, process in place of which if someone commits the most heinous of crimes against our citizens, they get a fair hearing, they get an appellate process, they go up to the Supreme Court of the United States if that's required, but in the State of Texas if you come into our state and you kill one of our children, kill a police officer, you're involved with another crime and you kill one of our citizens, you will face the ultimate justice in the State of Texas and that is you will be executed (audience applause).

Moderator: What do you make of the dynamic that just happened here; the mention of the execution of 234 people drew applause?

Perry: I think Americans understand justice. I think Americans are clearly, in the vast majority of cases, supportive of capital punishment. When you have committed heinous crimes, against our citizens, and it's a state by state issue, but in the State of Texas our citizens have made that decision and they've made it clear, they don't want you to commit those crimes against our citizens and if you do you will face the ultimate justice.

Rick Perry may not carry anything in his personal conscious giving the orders, but he fails to remember that it is not he who is directly enforcing the laws and carrying out the punishments at the Walls Unit in Huntsville, TX.

It was suggested by some participants in this study that anybody who is in favor of the death penalty should participate in the execution process and see where they stand on the issue afterwards as there is a big difference between holding a position toward capital punishment and being the one who takes part in carrying out the executions. A point that may seem obvious, but not one the average individual takes into consideration when taking a position on the debate. Terry went further to suggest that it should not be the responsibility of the prison and prison employees to carry out executions if that's what the state wants; if they want the death penalty in place it should take place at the county levels. As noted earlier, prior to 1923 the executions were carried out at the county level by the local sheriffs. The issues of concerns regarding wealthier counties having higher rates of death sentences and executions than smaller counties will be addressed in greater depth below.

Furthermore, Perry's statements are inaccurate as are with most politicians. While the number of death row inmates executed in Texas is significantly higher than any other state, indeed, it is not true that there is any guarantee that all people who commit capital crimes in Texas will inevitably face the death penalty. The number of people sentenced to death for crimes involving homicides is approximately 1% and of this one percent, only approximately 3% of this total population eventually undergoes executions (ACLU 2012). And no matter how clear the process, the legal processes are

prone to error with the State of Texas being no exception. Nationwide, since 1989 there have been 311 post DNA exonerations in the U.S. and in 18 of these cases time was served on death row (The Innocence Project 2013). In Texas, 54 cases have been exonerated with DNA testing—two of those cases were death row inmates. Texas has been slow in allowing DNA evidence to be considered in capital cases, though with the passage of the senate bill 1292 in 2013 drafted by Senator Rodney Ellis of Houston, DNA testing of all biological evidence must take place in capital punishment cases to prevent wrongful conviction and death (Grissom 2013). Errors of the system compound the costs of capital punishment.

This very issue of the inconsistency of application was expressed by several participants in this study resulting in questioning the actual fairness of the system as with Bailey's observation:

I have a problem with the way it's, it's uh, let me see if I can find the right words, the way it's utilized, uhm, if it becomes a monetary issue, uhm, you know you don't see most of your death row guys, I'm not saying anything you don't know, you see most of your death row guys come from Harris County, Dallas County, large counties that can afford to pay a death row, or a, a capital punishment trial, if we can afford to keep those guys on death row, because I know you're aware of that the county pays for their upkeep, so from a small county and you don't have the funds and you don't have the, the means to do it, you can commit

these acts and crimes as somebody in Harris county does, you're not gonna get the death penalty.

Bailey's point on the inconsistency is important further because of the disproportionate number of people who are of color sentenced to death and eventually executed. African Americans represent approximately 12% of the total U.S. population yet make up nearly half of the death row populations combined. But when the African American population is broken down further we can quickly see that of that 12% approximately one-half are female and the other half male reducing the total black population in the U.S. to approximately 6%. When removing minors and elderly from this group the total black male population of age eligible to be sentence to death is reduced to approximately 40%, or 3% of the total U.S. population—yet, this small U.S. population represents approximately one half the total death row inmate population.

Disproportionately death row inmates come from urban areas where the highest concentration of white generated wealth and poor African Americans reside, as with the case of Houston and Dallas. Since 1989 when the first person was exonerated through DNA testing, of the 311 people exonerated since have been: 193 African Americans; 94 Caucasians; 22 Latinos; and 2 Asian Americans (The Innocence Project 2013). We can see that coupled with racism operating in the criminal justice process, concerns for errors with regard to executing the innocent are lacking most when it comes to African Americans prisoners in the U.S.

While not explicitly addressing race, in reviewing personal files on hand Francis provides the specifics for the time period:

...the one thing that clearly jumps out at you is the disparity in the counties in the State of Texas. Uh your highest county of uh issuing the death penalty uhm, the number two is uh Dallas County up in Dallas, Texas, uh they uh in the year 2000 they had 44 folks on death row, uh Bexar County San Antonio 28 folks on death row, which was number 3 in the State of Texas, the number one county uh to show you the disparity of between one and two, is Harris County right here, they had 151 folks on death row. One hundred fifty-one is the number one and the second closest is 44, so huge disparity in terms of, so be careful in Harris County.

The inconsistencies of death sentencing by county or region coupled with the disproportionate number of exonerations warrants valid concerns regarding the goals (or lack of) of capital punishment with examples as illustrated by Perry above. It's not true that all people who commit heinous crimes will be sentenced to death in Texas and it's not true that all people sentenced to death committed what might be considered the most heinous of crimes in comparison to other capital crimes where the defendants got life in prison without the possibility of parole. Again, resources, including social and cultural capital, play a significant role in who gets sentenced to death—resources available to both the county as well and defendants, particularly if they are able to pay for private defense. Thus, very much in line with Ritzer's theoretical component of "quantity," while the quantity of executions carried out in Texas may be boasted by the politicians, the quality of legal application has been an utter failure.

Quick Delivery = Good

While executions have been carried out for thousands of years, searches for quick and more humane delivery methods have been sought by humanitarians, often for the sake of speeding up the death process for the victim (Abbott 1991). From the guillotine to the gallows, it was argued hanging was more humane as if done correctly it results in an instant death (Applbaum 1995). But the realities were not so and many people had prolonged deaths resulting in suffocation a form of torture—prolonged pain claimed particularly by proponents of capital punishment who were advocating the use of the electric chair as with Elbridge T. Gerry (1889) who argued:

Over ninety cases of accidental death by such contacts [electrocution] during the past two years are recorded, and in every case the action of the current was so instantaneous as to leave not the shadow of a doubt that death was literally quicker than thought. The body was not mutilated; there were no indications of any death-struggle; none of physical pain. The Constitution of the State of New York (Article I.5) wisely prohibits the infliction of “cruel and unusual punishments.” Hanging, for the reasons shown, while not unusual, may be, and too often is, cruel. Electricity, on the other hand, while not yet usual, has yet to be proven to be cruel; and as death whenever produced by it has been instantaneous, it is difficult to see how it can be shown to be cruel (p. 324).

The seduction of science only went so far as death was not instant for many inmates who endured in numerous horrific and painful injuries along with a prolonged

death process (citations) and even sometimes catching on fire (citations). And the same humane promises were made with the gas chamber and other forms of executions (Conquergood 2002). In less than a century the electric chair would be replaced with other methods, though not completely retired in all states and it wasn't before long when the new lethal injection method promising to be quick and humane was proposed and approved reinstating the death penalty in some states as with Texas. The current forms of execution still on the books for the different states throughout the nation are lethal injection, hanging, electric chair, gas chamber, and the firing squad with the U.S. being the only nation in the world to allow the gas chamber and the electric chair to be used for executions (Death Penalty Worldwide 2013).

As several forms of executions have been carried out since the federal reinstatement in 1976, Khan and Leventhal (2002) measured the average amount of time executions took based on the time in the death chamber to when the inmate is pronounced dead and lethal injection was the longest as it began with the start of the chemical flow whereas other methods began with the flick of a switch and so on. The average time with lethal injection was over a half an hour and the average time for the other methods was 16 minutes. While lethal injection may take longer, the method is masked with medical expertise and authority that promises to be free of the gruesome effects inevitable with the other methods (Conquergood 2002).

But the lethal injection process is not free of potential problems or risks as catheters have become disconnected from the inmate resulting in a disruption of the lethal doses being administered or the bodies of the inmates not responding to the doses

administered resulting in prolonged death (Pickett 2003). As noted in the literature, further arguably there are more sinister concerns with lethal injection where the inmate often appears to be rendered unconscious though due to total paralysis is unable to communicate any suffering that may be taking place. This concern has been widely raised with first drug traditionally used in Texas that has been forbidden in the veterinarian industry. Nonetheless, despite the risks and even “unknowns” in contemporary times capital punishment continues to be permitted and practiced in many states. Thus, the idea of quick delivery, be it through hanging, electrocution, the gas chamber, firing squad or lethal injection, is disconcerting on many levels when all issues, including the administration concerns of the execution methods are factored into account.

To some degree the search for a more humane method of execution by earlier humanitarians makes sense given the torturous methods giving rise to the higher levels of gruesomeness and horror prevalent during their eras. Though particularly problematic about proposing more innovative execution methods particularly in more recent “enlightened” history is that rather than moving towards more humane ways of dealing with capital offenders through truly humane and non-lethal means, they keep proposing ideas on how to keep the practice of executions in place in the name of, and under the authority of, science. When the death penalty was abolished in 1972 largely due to the fact that the practice had faded out on its own, why reinstate it? Why encourage it? Why promote a vengeance oriented society? Particularly when it has been shown that capital punishment is not an effective deterrent to help prevent capital crimes from occurring

(Fagen 2013). This fallacy of quick delivery coupled with economics further demonstrates the irrationality of rationality emphasized by Ritzer and Weber's theories.

Given capital punishment serves to primarily reward politicians carrying out their retributive social control agendas rather than society, it may be that even the availability of debate on the issue in politics reinforces the revenge-oriented platform for the constituency base to support the broader billion dollar criminal justice industry. When extremes are presented to the general public, as with lethal injection in comparison to the electric chair, or capital punishment to life in prison without the possibility of parole, the perceived less serious issues become socially neglected. For example, if capital punishment were not in place over time, serious questions on the practice of solitary confinement might be raised. In the case of capital punishment, the electric chair makes lethal injection look like the better alternative. Furthermore, capital punishment being in place in some states and not others, it allows the states that do not have the death penalty or rarely use it to focus on extreme states, as with Texas and overlook serious human rights questions within their own penal institutions. In line with Ritzer's theory, while capital punishment may be economically irrational for the tax payers as noted above, it may have been highly beneficial for those who profit off the criminal justice industry most, such as, politicians, law-makers, and attorneys and so on.

PREDICTABILITY

In the world of McDonalidization, Ritzer defines the concept of predictability as referring the assurance provided to consumers that the products and services will be the same without deviations across space and time. The world of predictability ensures

products and services are not exceptional or particularly awful. This theoretical element addresses the rather mundane world that offers little surprises. But along with predictability on the consumer end of the spectrum, the behavior of the workers is also highly predictable. Their routinized training involves complete memorization that results in the work and duties developing as habits and following scripts without deviation.

Similarly the training involved with the death work is heavily concentrated on the predictability component of McDonaldisation. Robin provides an example of the one of the approaches to the training involved in working with the executions:

There was many times I laid on the gurney myself and had people strap me down, *get a feeling of that*. Alright, alright I'll play the inmate, this is what's going to happen, you know and I would, I would set forth all, every scenario that they would be involved in. One inmate would walk out. One inmate would walk out and stop, you know. One, inmate wouldn't walk out. One, the inmate just fighten like heck you know...It's something when you've got five guys grabbed a hold of you and you fighten, playin like an inmate, and then I thrown on that gurney an I strapped down. You'd think about that later and you know it was, grrr, it was, that was, it was exciting and kind of fun but then you know, after you get used to it (laughing) you know, you're psychological mind is thinking, *man*, you know, I know exactly what that someone feels like.

The participants in this study had explained how their primary objectives in working with the inmates prior to, and during the executions, were getting them to fully

cooperate with the execution teams. The central feature of this objective was gaining the highest level of cooperation and getting the inmates to voluntarily walk to the gurney where they would lay down and prepare to be strapped down without struggle. Though, while the standard procedures and environment are designed to result in full compliance voluntary submission of the inmates in bringing forth their own death process, on rare occasions inmates do not fulfill the prescribed scripts and cooperate with the process. In such situations, while it may appear as though the inmates are disrupting the standard execution process through their resistance, because of the range of predictability that accounts for most all potential circumstances to occur the prison workers still have training and standard protocol in handling inmates that deviate from the ideal execution scenarios.

A few of the participants in this study recalled that it was very rare that an inmate would deviate and fight against the process, though when such situations did arise it was out of the following sentiment described by Francis who captured the reasoning for the fighting from the inmates perspective:

There were (number) inmates who fought us tooth and nail uh, they were adamant and uh I recall one of them telling me that, “You know what? I’m not going to help you kill me. I’m gonna fight you.” Well do what you gotta do....

On the rare occasions when inmates fight the execution team during the period where they are removed from the holding cell and transferred to the gurney, the standard protocol as Francis explained was:

Okay, we normally have multiple folks on our list, but anything more than 6 is too many, they would get in the way. Uh if you had to uh, and we did on a couple of occasions...ended up having to do a forced cell extraction and uhm that's where we'd go in suited up in uh body armor and physically pin 'em, put 'em in a restraint, physically pick 'em up and carry them out. If you put more than six men in one of those...they get in each other's way. So it's not effective with any more than six. Six is considered to be your basic strap down team or forced cell team.

While full cooperation with the execution rituals and process was generally the norm in most cases and it was more out of the ordinary for inmates to actually fight the execution team up until their death, there were other occasions where inmates told the execution team they weren't going to fight them, but they could not bring themselves to voluntarily participate in the act of inducing their own death. Francis described these situations from the inmate's perspective as:

“Hey, I cannot, uh I won't fight you but I cannot make my legs move. I cannot make uh my body move voluntarily to get up there on that gurney.” And what we expected of him was fine, “as long as you don't fight us there won't be a problem, just lie on the floor, we'll have the team come in and pick you up and carry you to the gurney and strap you in” and uh...did exactly [that]...Never fought us...uh just went limp and laid down...and there was no fight.

As described by Francis above, when such situations do arise the execution teams deviate from the standard protocol and allow the inmate to lie down where the correction workers lift them off the floor carry them into the death chamber, lay them down on the gurney and strapped them down provided there is not the slightest bit of struggles during this process. This lack of cooperation in contrast to fighting was, as described by participants in this study as, the inmate's final way of exercising their last act of dignity as a human being prior to their last breath of life.

The Most Predictable Executions and Standard Protocol

As mentioned above, the inmates not cooperating with the death preparation process were described as anomaly situations by the participants in this study. The participants described the inmates as being devoid of any will to live when their execution dates arrived. Robin recalls:

...every one of those individuals that we brought out of those cells over, that's been over [number of several years], are ready to meet their make, to meet their maker, or just ready to, I mean I'm tired, put me to sleep....

Similarly Dana recalls:

...but speakin of uh the condemned person being escorted from the cell itself to the gurney and then getting up on the gurney by their own volition, again that happened most all the time. A couple of guys I remember said, "I'm not going to fight you, but I'm not going in there, I'm not going to walk in there" we would just basically pick him up, kind of take him in there, no resistance, and then there [a small number] , I

don't remember exactly that wouldn't come out of the cell, and we went in and physically took control of 'em and uh put 'em on the gurney, strapped 'em down and they put up a fight the whole time. I can relate, I think.

If it's the case that most inmates are ready to die by the time the execution date arrives and do give their full cooperation without any resistance, what does this mean, exactly? Does it imply that because there is no resistance, then capital punishment is then morally legitimate? Is it only the cases when the inmate's struggle that questions of ethics and morality are raised? Again, most correction officers who work directly with the executions do not have any previous rapport built up with the death row inmates prior to their arrival at the Walls Unit. The first time they see the inmates is when they are transferred and there is an exchange of custody from death row to the execution team who begins working with them from that point on. This lack of resistance was described as somewhat of a surprise for some but others had explained that the inmate was well aware that it was going to happen no matter what so they knew beforehand it was just better not to put up a fight.

In response to the question on how views may have changed after working with executions and the depression caused by the grim prison environment Skylar explained:

I'm certainly not as supportive as I used to be. And again, it goes back to uh, seeing the exonerations, seeing people uh, come off of death row and given their freedom, so yeah, I it it it has changed. I uhm quite honestly I think that uh Texas, now that Texas has uh, uh, LWOP Life With Out

Parole, uh I often think when I [engage in the type of work, as a retired prison employee, that gets inmates life in prison without parole instead of the death penalty] that, well the few that I do, you got, since to, Life With Out Parole in a Texas prison that I'm not really doing them any favors...I think being, spending the rest of your life in prison is a far more cruel thing to have happen to you than it would be to be executed...It, I mean you, you have to look at the statistics, uh, in the prison system, last calendar year there was 733 attempted suicides...out of 150,000 inmates 733 attempted to take their lives, of that 25 were successful, which tells me that the prison, being in prison is a horrible thing to have happen to you, so much so that you're willing to take your life to get out of there. Uh on the other hand it tells me that if you've got only 25 successful suicides that the prison system works, that the guards are doing their jobs....

Despite the predictability of the inmates fully cooperating, checks and balances and standard protocols still applied to all prison workers who were involved in the execution process.

Bailey, who held a higher level position above the execution team, explained that prior to the deaths the inmates are primed for their executions while in the holding cell next to the death house where they are informed and reminded of what they are expected to do when the time comes to be transferred to the execution chamber:

...he would go in there before and tell the guy, you know, “we will give you an x number of time to make a statement, you’re family’s gonna be here, your visitors will be here, and what not.” And just kind of prepare him and get him ready, so we’d go back there and get the guy out and make sure the tie down team had him down right and then, then the rest of the team would come in and prepare for the execution so we were just kind of there to make sure it went like it was supposed to. And it’s in our interest to make sure it goes the same way, every time, like clockwork. No, you know no one likes any drama, no one likes any deviations in that kind of process, for a lot of reasons....

For some participants, the resistance of the inmates was the least of the concern and at times not even mentioned, which may have been due to the high level of predictability of the inmates fully cooperating with the process and only deviating on the rare occasions, as they had back up protocols to ensure the executions would be carried out on time exactly as outlined by the state. For example Rylee’s concerns were more concentrated on situations that were beyond the control of the prison workers and their previous training, which are often related to what the literature sometimes refers to as “botched” executions. In the case of lethal injection, botched executions have involved the actual medical procedure of finding suitable veins in contrast to something as a restraint coming loose as Rylee explained:

...you know sometimes we would have a hard time finding a vein, that made me a little nervous uhm and uh but they always would find one, uh

but I never had one hang up [knocks on wood—the wooden desk where the interview took place] and I hope they never do that have one that you know, goes wrong. I think one time though before we even started we always checked it to make sure it was, the flow was right that we might have one that would blow out, you know what I mean?

Rylee's concerns were warranted as the catheters have become disengaged from the veins of inmates on rare occasions during earlier executions.

Such concerns may become even more warranted for future executions as more and more members of the medical industry are taking an overt stand against the death penalty as discussed above with the pharmaceutical industries. The American Nurses Association has recently taken the official position: "The American Nurses Association (ANA) is strongly opposed to nurse participation in capital punishment. Participation in executions, either directly or indirectly, is viewed as contrary to the fundamental goals and ethical traditions of the nursing profession" (2010:1).

And as widely known, physicians in general are not supposed to partake in the executions due to the Hippocratic Oaths, but physicians brought into to pronounce the inmate dead are also volunteers whose confidentiality is upheld by the prison. As previously noted, the medical professionals employed for the prison cannot be involved with the executions due to the professional conflicts of interest with the inmates and as explained by the participants in this study, the medical professionals brought in to partake in the execution process in Texas are non-prison physicians. Of question here is how it is that the prison and state somehow recognizes a professional conflict of interests

for medical professionals and not correctional employees, since both have an obligation to watch over and protect the inmates. The answer to that question is not clear nor could one be found.

Nonetheless, Pat was present during a couple of executions, where the catheter became disengaged from the needle as quoted in Chapter III and with those experiences, Texas has since added an additional step in the procedure to help ensure the protocols and procedures will be smoothly carried out without interruptions. Bailey elaborates:

That's why we put in two lines. One in his left arm and one in this right. The one in the right is just in case the one in the left blows out and because we actually utilize pressure with, with, with the a pusher uh pushing the drugs in somebody.

Again when executions in some way go wrong, it can result in negative to traumatizing experiences for the prison workers and any witnesses present.

Regardless of the reasoning, executions occasionally deviate beyond the prison worker's training and protocol. Often the prison workers, who are not on the medical teams and lack any training in the medical field, feel as though they are blamed for any and all wrongs that might occur during the execution process. Rylee explains the feelings that were present when directly involved in capital punishment and what it's like to even hear that an execution is taking place in Texas or elsewhere in current times:

...I guess what I think about when I know there's an execution is there's staff involved in that, that I hope it goes perfect for them and there's no uhm uhm foul ups that would cause scrutiny towards them because uh

those people are under a lot of pressure because you have to make sure that that is a perfect process, and that's a lot of stress on them. But it has to go right, it has to go right.

Rylee's candid description above captures Ritzer's theoretical premise where,

...bureaucracy suffers from the irrationality of rationality...Ronald Takaki characterizes rationalized settings as places in which the 'self was placed in confinement, its emotions controlled, and its spirit subdued. In other words, they are settings in which people cannot always behave as human beings—where people are dehumanized (2007: 29).

Prison employees actively involved with such work likely would have a difficult time expressing such emotions. Rylee's emphasizes that "it has to go right" is out of concern for the negative consequences that result from executions that go wrong, not because of any personal support for the death penalty.

The irony of the prison employees who worked with executions is that they were dehumanized by carrying out a type of work that by definition dehumanized people within the total institutional setting. The high expectations held of the prison employees by the state and larger society who insists capital punishment will indeed be a part of the penal institution necessarily dehumanizes prison employees by requiring them to implicitly uphold emotionless roles that lacked any significant affect with regard to inducing the death of another human being—regardless of the circumstances of why they were sentenced to death. A key to this emotional detachment with the work carried out was frequently conveyed through the concept of maintaining the highest levels of

“professionalism” for the sake of the other prison workers, as well as the inmates and any observers.

“Professionalism” Ensuring Predictability

The notion of “professionalism” was one of the primary themes that were mentioned in all interviews. The shared conception of “professionalism” involves socialization processes that come from the training within the institution to help increase uniform behaviors and predictable actions of the correctional workers in general (Allen, Mhlanga, and Khan 2005). *The Bureau of Justice Statistics* (2013) provides the following definition:

Professionalism requires a minimum level of training and orientation, which guide officials in making decisions. The professionalism of policing is due largely to the desire to ensure the proper exercise of police discretion. While many definitions of “professionalism” encompass the element of “conduct” in the criminal justice field, it need not entail definitions of ethics per se. “Ethics” in criminal justice is focused on dilemmas faced by criminal justice officials who frequently confront what are called “ethical dilemmas” defined by Banks as: “An ethical dilemma arises only when a decision must be made that involves a conflict at the personal, interpersonal, or situational, or societal level, or raises issues of rights or moral character” (2012: 13).

All criminal justice employees working with executions are inherently involved with ethical dilemmas, but rely on the conception of “professionalism” to help justify their

participation in the work. When joining execution teams one must be able to mitigate ethical dilemmas and maintain the highest levels of professionalism as defined by experienced officials already working on the execution teams. The most important function of the concept of “professionalism” as noted above is that of ensuring predictability, which is a core feature of Ritzer’s theory.

Professionalism and repression

Maintaining the highest levels of professionalism was important to the participants in this study for varying reasons, though the chief among them was reflecting the proper etiquette when engaging in the death work for the sake of the all others who are either participating in the process or observing the executions. But there were members involved who were accepted into the circle because of their professionalism (higher ranked authority, training, and ability to carry out the work), though whose ethical behaviors (improper conduct and behaviors) were questioned. Bailey explains an example where:

Like anybody else, you wonder sometimes about what you’re doing.

Uhm, because regardless of if you’re religious, you tend to, you generally tend to believe that there’s a, there’s an accounting at the end, and you kind of wonder, you know, I mean I can remember a guy, one guy in particular...he used to think it was funny to say stuff like, you know we’d tell somebody, “hey, we want you to come help with this execution” and then when we’d get over he’d walk over to this person and say, “Now you’re goin to hell with the rest of us.” Uh huh, which I guess is funny on

a certain level, but I didn't think it was appropriate and so if you really kind of religious, you really kind of wonder about that sometimes. I've actually asked some, some, some preachers and pastors about, about that issue, and go, got some information about you know, how the Bible sees it and how, you now, the government's authority is, is uh, is right, and, and so I never really had any issues with, with lining that up.

Personal issues involving ethical dilemmas for Bailey were largely handled with religious ministers whereas the individual making such comments to others likely held no religious questions at all regarding the morality of capital punishment or personal behavior. Nonetheless, the situations as described above can easily create conflict very quickly between the members of the execution team if that member was called out by others making an already stressful situation worse. In some cases, ignoring such behaviors may have been better for all people involved at the time than escalating the situation given the particular climate of the setting.

Likewise, Dana recalls:

...it was just very professionally handled, it really and truly was, for at all levels that I observed and were involved in...I mean there wasn't any time for fun and being in games if we were a mind of being that way, it's just, the type of event which nobody was you know it wasn't like "oh my gosh" you know "well here it is man, you just don't play and act up and crap like that" you know. But we did indeed show respect for that person, you know we did have all certainly physically and verbally or (shifts tone

here) “you’re gonna die in 20 minutes” there wasn’t all that crap, uh you just dealt with, you know, some.

One reason it can be difficult for the members of the execution teams to control others on the execution team when the behaviors or comments of others were offensive or inappropriate, is that the execution teams are strictly composed of higher level officers only, such as, captains, lieutenants and sergeants.

As the employees move higher up in rank, they have more latitude to joke around and relax within the various prison settings than the lower level officers. It can be difficult for a higher level officer to confront other officers, on issues of professionalism who are of equal or higher rank and who have the esteem of the higher officials. This is because first, typically officers of higher ranks demand proper etiquette and order of the lower level officers and second, the culture of corrections in general as described by the participants in this study promotes rather cold and intimidating demeanors of the officers—proof that they are “hard core.”

While most participants in this study reported feeling as though they could have withdrawn their participation from the execution team without penalty and a genuine understanding from the higher officials, others had very different experiences. After reaching a point where participating in the death work became too much, Robin explains:

I couldn’t do any more. And you know, from that time that I went back into work the next day and I sat down there with the warden, and said to warden [position], I told him you know I’m at the point now, that I don’t

want to see or hear anything about executions, because I, I could, in my mind I wanted to erase my visual of that execution cause I could, I could draw you a perfect map of that execution from the holding cell to everything, I wanted it all out of my mind at that point...I didn't even want to be associated with it, you know and it was hard for the warden to understand that, you know I could still do my job because I'm still [name of location], uhm, but, there was still (clears throat), not panic or, or, or trauma or anything like that, but, I could still feel some kind of emotion when [time of day] come cause I still knew exactly what that van was goin to do, you know, and I, my shift ended at [time of day] and it, and it, I couldn't get out of there fast enough...I mean when I told them I'm not gonna work, work em anymore I couldn't, I mean there's definitely, a, I mean uh, when I told them I did not wanna step back, back in the death house there anymore, you know so I mean yeah there was a part of that to where I mean, the warden couldn't rely on me anymore to help him with the tours or anything else. I wasn't a person he could turn to.

Along with possible negative consequences associated with losing promotional opportunities in the prison if one withdraws from the work, Robin above reported suffering ridicule and social exclusion from the other prison workers leading to the eventual complete withdrawal from working at the prison altogether.

Robin was not the only retired employee who reported such experiences. In retrospect Skylar recalls:

You know I, there were as I recall several, several people in the process who did ask to get off, out of the process, uh, just didn't want anything more to do with it, you know, and uh I certainly can't blame them for that, uh but then their involvement, uh, it was truly a hands on situation you know.

There are social costs that come with asking to be removed from the execution team, as explained by participants. When working on the execution teams, their images were supposed to reflect the "hard core" macho persona regardless of gender. It is not surprising that these team members encountered teasing or demeaning behaviors, even if there existed, a silent consensus on the inappropriateness on the death penalty, shared by the other workers.

Some, as with Dana, who was a lower level officer with a distinct personality, had that ability to call other workers of equal and lower ranks out on the spot while others certainly had a more difficult time doing so. Witnessing such behaviors with personal objection and remaining silent certainly could impact other workers in ways not made known to the teams, as with the case of Bailey above. Having the courage to blatantly withdraw from the death work despite the potential social and economic consequences as a lower level officer proved a difficult thing to do within this culture without risking their careers and/or truly suffering other types of penalties as Bailey poignantly illustrated above.

Professionalism and conflict with human emotional expression

The inability of workers to uphold hyper-masculine images devoid of emotional weakness working with executions can result in blocked promotions. These high expectations are deeply embedded and non-verbally implied within the culture of corrections itself. Bailey captures this phenomenon well when discussing how prison employee culture invested more value and rewards into workers who were perceived to be “hard core” in contrast to those who were perceived to be weaker and more vulnerable by their succumbing to concerns for the pain and fears of others in distress.

The inability to present a “hard core” persona while in uniform by upholding the masculine image that is virtually free of any personal biases, emotions, and feelings, nearly equates prison workers with robots in the same fashion Ritzer described the end results of rationalization¹³. Baily explains, in realistic terms, the options available (and what should be available) for employees having safe outlets in order to share any personal concerns they might have related to their work:

I just think that the training, it all comes back to the training, for them to understand the process, why we do what we do, what legally gives us that right, and, uh, ways to deal with it, so, and options. Real options, to where they even do it anonymously and call and say, “hey, I got an issue with

¹³ It should be remembered that the execution teams determine all procedures, rituals, and fine details pertaining to the execution process, including the clothing they wear. The uniforms are worn by the correctional officers and suits are worn by the administrative officials. The selected attire for the executions on one hand suggests respect shown for the inmate and process by the correctional workers and, on the other, signifies the symbolic power that reinforces their roles to both themselves and the inmates undergoing executions. This rationalizes the process which consequently dehumanizes all people involved; both the workers and the inmates.

this” and someone deals with it so your boss doesn’t know, so, because part of the deal is, you know, running penitentiaries, especially bad penitentiaries, tough penitentiaries, there’s always that macho thing involved you know, you know either you’re hard core or you’re not, you know, we draw those lines all the time, “oh well he’s a good supervisor but he’s not a good hard core supervisor, he can’t deal with full custody” we draw those lines all the time so, there’s always that stigma of, “this bothers me,” but if I go to my boss and say, “hey this bothers me” he’s going to do the right things, he’s gonna say, “oh well here, let’s call these people and here’s the number and let’s get you some” but in his head he’s thinkin, “you know this guy can’t cut, he’s too soft” so you’re worried about that so you don’t say sometimes things you should say or don’t ask for what you need. So I think anonymity is an important part of this process. And, and then I think you need to have, make it very very clear that there’s an opt out on this thing. If you start to do it [participating in the execution process] and one day you get to feeling funny about it you outta be able to opt out, without killing your career or what not. So.

That’s just what my viewpoint is.

Bailey felt strongly that prison employees sharing honest feelings of uneasiness or even contempt within the prison work environment should be respected and not be perceived as showing signs of weakness. Bailey’s strong feelings on prison employees having safe

pathways and sources for sharing concerns, extended to professional and punitive immunities.

In expressing similar concerns for the employee's wellbeing with relation to working with execution process, Kasey suggested the need, without penalty, for psychological evaluations, pre-evaluations, and periodic assessments to be performed on prison workers who do volunteer to work with the executions. Likewise, Tracey suggested something similar:

I think they need to have pre-evaluations and screenings and post evaluations and screenings. As the persons involved either directly or indirectly can get proper counseling or any type of help they need, because of, the uh, viewing an execution, whether you think so or not, it's, it could be traumatic, it could, you know, you don't know how it's, it may not affect this six but it may affect that six. You know, but it affects people different—you see a person alive and all the sudden he's dead, and I think it has to have some impact on everybody, I would I would think so. Now about the severity, I don't know.

Even though the members serving on execution teams may have close professional relationships with each other and the capital punishment work is considered purely voluntary by both the institution and employees, it is still very clear that hierarchical barriers and ranks continue to operate at even unconscious levels in settings that are supposed to be not applicable to their formal positions within the institution that serve to promote, preserve, or demote workers within their various ranks. As highlighted

by Bailey above, this was particularly problematic when they were officers working at the lower level ranks within the system.

The latitude to express more open and honest feelings about the work if deemed undesirable or uncomfortable in any way seems to open up much more when the prison employees rise above the officer ranks into that of the wardens and beyond within the system. Bailey explains:

I think it's a lot easier for the warden to step down, for instance, I know for a fact if the warden of the Walls resigns, they look for another warden to, to replace him, a new part of their perspective is, "Hey how do you feel about carrying out executions are you going to be alright with that?" and if that person says, "no, not really" "hey don't worry about it, we'll get you on the next round, you know don't worry about it, we won't do it." And so I think the higher you get, the bigger the outcome, the more options you have. What I worry about is the [names various higher officer ranks] who are trying to make their career...when you're coming up in the system like that, especially a competitive system where there's lots of people in the group, someone comes to you and says, "hey we want you to be a part of the tie down team" even if there are some religious or moral issues that you have, the officer's going to say, "okay" because he almost feels like he has to, so I just think, I don't know how you address that.

Bailey's candid disclosure of these relationships between employees exemplifies the type of feelings related to job security and personal worth lower level officers should be entitled to as employees of the institution that the higher level prison employees take for granted. Bailey placed emphasis on the ability to carry out the job duties where everybody, both inmates and prison employees, were safe and healthy. For Bailey, signs of personal concerns or discomfort should not be equated with weakness or incompetence. These employee dynamics built into the prison employee culture described by Bailey serve to uphold the hierarchical power structures and decision making thresholds, involving the range of ability to decline placement offers without penalty. These covert evaluations implicitly magnify social limitations for the lower ranked employees. The collective impression management upheld by all actors involved sends messages to the lower ranked officers that the higher level employees are bestowed an esteem that allows for decline and the "hard core image" remaining safely intact.

SUBSTITUTION OF NON-HUMAN TECHNOLOGY

Ritzer demonstrates the trend of non-human technologies replacing the work of humans, resulting in deskilling as well as arresting the abilities of humans to think independently and reflectively in their work environments. Ritzer (1982) explains: "McDonald's does not yet have robots to serve us food, but it does have teenagers whose ability to act autonomously is almost completely eliminated by techniques, procedures, routines, and machines" (p. 376). In the prison system, as noted above, employees are intensely trained in the rank and file system that socializes people to follow orders

without question. Their training is equipped with prescribed routines, responses, and the handling of the prison inmates. They are usually trained to use various types of non-lethal force to gain complete control over the inmates. The rations and items dispersed to inmates are limited to exact quantities and all schedules involving showers, recreation, meals, and so on are strictly routinized.

Certainly previous execution methods with heavier reliance on non-human technology, such as the gas chamber and electric chair were previously believed to have upheld professionalism and decency. But these views have faded out due to general consensus that these forms of execution constitute cruel and unusual punishment. Concerns related to upholding images of decency and professionalism has been expressed throughout the literature and by the participants in this study. The execution process as carried out by lethal injection in Texas is surprisingly more hands-on than what might otherwise be expected due to the medical procedures used the process (the needles, catheters, and so on). The use of non-human technology, involving “industrialized technology” as with the gas chamber and electric chair, can result in the opposite outcomes. But it must be remembered that electricity was a relatively new scientific breakthrough enjoyed by primarily the elite when the electric chair was first introduced by the white collar scientific community at the time in which the medical field was still rather underdeveloped. The first legal execution with the electric chair took place on August 6, 1890 in the New York Auburn Prison, with death row inmate William Francis Kemmler (Hughes 1958).

As time has passed “industrialized technology” in general has come to be equated with more blue collar qualities and is widely accessible to the masses (electricity), losing its luster and prestige. In comparison, other types of contemporary technologies emerging from the white collar professions of the medical field have replaced the old. White collar equates to prestige, decency and respect, which is equated with higher levels of competency, with trustworthy and legitimate authority, and social conceptions of what is considered to be indeed more humane. The technology used for lethal injection is very simple, but it mimics medical procedures, even though those carrying out the executions are not trained in the medical field. The lethal injection method appears to provide a white collar authority to legitimate the practice. The process of how lethal injection is administered and which chemicals are used is decided by the Director of the Texas Department of Criminal Justice, whom in 2011 was a former corrections officer with no training in anesthesiology, pharmacology, or science (Bonner 2011).

Technology and the Human Senses

Despite the fundamental disconnect between medical and correctional authority, which is broadened even further when the veterinary authority is mixed into the equation, several participants in this study had expressed their appreciation for the lethal injection method in contrast to the electric chair. Some suggested there is no way they could have participated in the execution process had it been carried out with the electric chair. Very few said they probably could have still participated if the state had asked that of them, but they were very thankful lethal injection was the method they had to work

with. What stood out for them when thinking about the difference between the two methods were with contrasts on how the human senses are effected by the presence and absences of the various stimuli associated with the methods that induce death. Such examples they shared were with relation to levels of distress on the emotions, vividness of memories, and overall ability to cope with the work. For example, Cameron who holds an anti-death penalty orientation describes:

...I've gone in with them right after, right after an execution...walked in the death house and going to the gurney and I was just amazed, personally, at how clean it was. There was no odor, it was just clean. And we knew that from the warmth of the gurney it was just such a clean process because when the system shuts down, so there's no relaxation of you know the bowels...it's just a clean process...and that's a great plus, it's just something to share with you cause some people wonder and I was thinking maybe you know it may be something that's very, very clean. Everybody's clean because they take a shower.

The cleanliness and sterilization of the whole lethal injection process, including afterwards was reported as the most important aspect for making it easier for those interviewed in this study to have participated in the death work.

In thinking about lethal injection compared to the electric chair, Jodie, whose pro-death penalty leaning was tempered with serious reservations due the high number of exonerations and the irreversibility of capital punishment, expounds:

Well, uhh, I think that if capital punishment has to be in place in our society, I think that lethal injection is a very humane way of doing it. I wouldn't want to have anything to do with the electric chair process, because uh, burning flesh is uh, the smell of burning flesh is, is uh, something you don't forget. You know, like I stated before, being strapped down to that gurney and being executed is the end of a long process and, uh, everybody involved in that process, uh, better of done the right thing and uh, not have skewed any of the facts to get that person on that gurney.

As clean, sterile, and humane as lethal injection may be in comparison to other methods, it was still difficult for some participants in this study. Death is death.

Francis, whose anti-death penalty leaning with a very conservative reservation for a small select few, described in detail personal difficulties with the visual details and coping strategies:

Uh my very first one, and this may be a chicken way out, but uh my very first execution, uh, I wanted to see everything. I wanted to know what was going to bother me, okay, and the glass that I was telling you that we had full view uh of the gurney, and the gurney uh, the glass would probably be from em to where the tape recorder is, the offender's gurney on the other side of the glass would probably be as close to me as you are, okay, it was just that close of confinement uh in the chamber, uh, and I stood middleways of that glass on that very first execution. One of the

one's I went and got drunk on, okay, and I see the condemned from head to toe. I saw the warden at his head, I saw the chaplain at his feet, uh I saw both uh holding areas for the family of the victim, family of the condemned, I saw it all. And I stood there. And I found out that, that really bothered me the most to see is this living, breathing person, okay, and, and and and one second talking to us and then a matter of seconds after that you see the life that's drained from his body. Okay, and this particular kid, young man, uh, they there's this distinct sound that they make, it, like a snore, uh and I thought, "well you know what, envision him going to sleep" because it sounded just like a snore. He's not dying, he's, he's falling asleep. So I'm trying to do that and what bothered me where I couldn't get beyond that point, so, "he's not asleep" you know, a lot of occasions their eyes never closed. One would and one wouldn't. And there was a couple of occasions where neither did, okay, closed proportionately, and it was the eyes. That was what drove me, more than anything else. I couldn't get that out of my system, I couldn't get that out of my mind. I, so I came up with this system, now that I know what bothers me the most about it, okay, going through the same process as we always go through okay, talking to him and this that and the other, and just when we get that final word to go, okay, when we know the warden is going to go to his glasses and give the signal to the two guys that push

the drugs to start pushing, I would take one step to the right, okay, now I can see everything from the neck down, I never saw his face again.

No matter how rationalized the method, the human senses play important roles in how people are affected by overall execution processes. Those various stimuli that maybe present as with sight, sound, feel, and odor, or certainly the lack of the presence of stimuli associated with death are important factors in what people can and will tolerate. In contrast to the electric chair, aversive stimuli that deeply affects the human senses was minimal, resulting in less negative effects associated with lethal injection reported by the participants in this study. Capital punishment methods, using any means, are not entirely risk-free, resulting in various negative effects (both in different magnitudes and severities) for the participants. The positive aspect of lethal injection, as reported by the participants, was the method was largely free of gruesome imagery associated with earlier execution methods. Nonetheless, even with the sterilized process of lethal injection, the human element was still an underlying factor for many.

Technology and the human element

While they had a tendency to speak positively of lethal injection as the current method used to carry out executions, as noted by Robin and others, there is still a high turnover with the execution teams in Texas. Despite the appearance of decency and humaneness of the process, the human element was still present for most participants in this study. While the execution teams were expected to be free of emotion and treat all inmates equally, carrying out executions involving women and very young inmates were particularly difficult for the retired employees. In these situations, the human element

even surpassed the “hard core” image they were supposed to present as there were situations where high numbers of the execution teams withdrew their participation after carrying out executions with certain inmates despite the potential negative career consequences and the impacts the covert sanctions could have on their overall professional futures.

Some participants reported things as correctional employees breaking down and crying after an execution, *inmates* showing concerns not for themselves about to die but rather for the prison workers who have to go through the process of putting them to death, making the process more difficult at the personal level. As noted above, one such instance led to the loss of an entire execution team, due to these very human difficulties as Rylee recalled. In a particular execution, likewise Francis recalls,

Uh the deal with [name of inmate], uh, several took us up on that invitation and each and every one of them requested to be removed from the strap down team...It's only 6 [on the strap down team]...One strap down team uh that, that's in the process...we normally would have multiple folks that's on our list, but anything more than 6 is too many, they would get in the way.

While in the beginning years the after the death penalty was reinstated, the process began with only one execution team. Because of the high volume of executions in Texas, over the years the prison has added more members to this list, as Kasey explained, leading to the creation of two execution teams that rotated participation in the

executions. The need for a minimum of two execution teams evolved due to the frequency executions were carried out in Texas.

Limitations of technology and human emotions

Again, as humane as the lethal injection process may appear to be in contrast to other methods and no matter how the participants rationalized the process and their own involvement, the greatest technology coupled with the maximized perfection in the process was not enough to shield the employees from emotional pain associated with the very reality of taking the lives of others, not matter how forsaken. Even Skylar who expressed a pro-death penalty position due to the inhumanness of prison life, experienced negative effects related to involvement with the executions. As most all the participants in this study suggested, there is something very wrong if people participate in this line of work and do not feel something.

The participating members found their own coping mechanisms when working in live time with the executions. Dana, who still maintained a hardened Native Texan retributive, oriented pro-death penalty position, would not look through the window or door until the execution process was over and it was time to go back into the death chamber to complete the duties and Francis who would take a step back when the lethal fluids would begin to flow so the eyes and face of the inmate were not in view.

Bailey, who lent rich insight to issues with authority and the realistic ability (or lack of) to withdraw from duties without penalty, explains:

At the very end, uh, before I retired, I'm gonna say, you see what happened was, once we got him on the table, that I had the option of

either going into the drug room or going back into the hallway...typically I would go back to the hallway because that's where all the uniformed officers were, and then we'd go through the process that I would wait for it to get over and then all the family members were out and then we'd go back in, and then you know of course he'd already be pronounced dead, and then we would help the funeral home people get in, get the body, get out. Near the end, once I knew he was strapped in and once I knew everything was set and that we weren't going to have any glitches, I got to where I left. I would walk out that side door and walk up front, that I, I didn't want to hear it anymore, so, and that was just a personal issue I just, by the time, it didn't have anything to do with my duties, I mean I did my job, but for, on a personal basis, I just kind of got to the point where, you know I I didn't feel like we were doing anything wrong, I didn't feel like it was, it was, it was uh, uh, not appropriate, and, and of all the jobs I had to do, I did, but then I got to where I just, I just didn't watch it anymore...The whole process, "the warden you may proceed" "do you got any last words" and him talkin to his family and you know whoever might be there, that might be there for promotional or what not, and then whole you know once they apply the, the uh drugs there's always this certain amount of noise that uh you know the guy sounds like he's snoring, it it wasn't like a major thing, it wasn't a dramatic thing, it's just after a while I was like "you know, I've, I've witnessed enough of

these” once I, once I was sure everything was in place, and we weren’t going to have a problem being the, being the [position title], you know a lot of people couldn’t do this, but being the [position title] I could walk up and say, “Open this door” and I would just walk out and go back up front, by the time I got to where I was at up front it was over, and just kind of wait for everybody to come back up front, and I’m sure they saw me leave, no one ever said a word to me about it.

The most common coping strategy relied upon after the executions were carried out reported by unanimously all participants, was consulting the prison chaplains or personal religious ministers. The second most common reported was alcohol usage, which helped them cope, or suppress, any more immediate negative emotions or effects. Like Francis who reported consuming alcohol to deal with the executions and sobering up, when asked about support resources for dealing with any negative effects that may have resulted from the job duties related to executions, Skylar responded:

JD and Scotch. It should be noted that I don’t drink any more so that’s okay (laughs). I have dreams, I have dreams of uh, some of the executions, in particular [name of inmate]...uh there were, there was several other executions that I still uhm have memory of and, and not only of the execution but also of the people involved in the execution, the actual uh, uh, uh offender. Uhm yeah I mean I, I still think about it, sure.

Coping strategies for Robin along with others were:

You know, first of all you're exhausted from the day, from the long days, and the uh you know just tryin to find something to unwind, a couple of cold beers, if it takes 6 beers or 8 beers something just to get you, and then you know watch some television and try to get to sleep and then go to, go to bed, but then you, you don't sleep, all you do is, you know when you, a lot of people have it no matter what what you do, if you've done something strenuous during the day, you relieve that in your dreams later on that night, you know uh. [and at other times] when it was over with we'd, we would go to one each other's house and it was almost to the point where you would you know where you drink beer and you, and you stay out to 1, 2, 3 o'clock in the morning and you just almost have an after party, which you know you're not partying because what you just did, you mean, it's just somethin to just uh to get you back into relaxed and get your mind off it you know, you got your commodity [sic] of what your fellow workers right there and you laugh and you joke, but you, um, you know during those times we uh, we wouldn't talk about the execution, you know.

Rylee explained:

Uhm, I, uh, first of all, I looked at it as a job and it went well, so, as a job, and it was a process. Uh when I went home I not only prayed for the people that were involved in the execution, but also the offender...you know it was just, you just, it was a hard job, you know like uh, like

anything, in a business, uh you know there are some tasks that you have to do that's very difficult, terminating employees, you looked at it as a part of the whole job, it was a whole job in my mind, no matter how many we did, it was a hard job. We didn't [have an appetite]. I didn't. I remember I would go home uh and fix me a glass of wine and just didn't feel like eating or anything.

When inquiring on whether or not the prison provided adequate psychological training for a job that required involvement with executions in a stoic manner Cameron replied "No." In sharing his/her personal coping mechanisms, Cameron explained that a couple of personal friends not in any way involved with the prison world would check in with him/her the same evenings the executions had been carried out along with:

Well, I always had jobs with a psychologist on my team and we would always laugh because we'd always say we debriefed each other on the way to the car you know we...it's like okay that happened you know, and walking to our car we're debriefing each other you know how we felt about or whatever, we definitely would say, and then the next morning, not always, but after a long night or a full night, or a different night, uhm the chaplain I would say he always called me checking on me....

The majority of the participants in this study, even if not particularly religious, reported both prison and personal ministers served as their own primary resources for personal support when needed. With their ministers or chaplains, they had felt they had a safe place to share their concerns and mourn with their confidentiality being protected

from the other employees and the larger institution in general. Workers at all levels in this study reported their most important personal resource was the chaplains or ministers.

Several participants had also shared rare situations that brought smiles to everybody and the necessity of finding humor when and where possible. Francis shares an occasion to illustrate:

Uh, I have flashbacks uh especially when I'm watchin the news and the news, well you know they put this picture of this uh condemned person and say so and so was executed last night, some of the, some of the flashbacks...I think that even though we could find a handful of positive things, uh, all of the negative impacts are just not something I would want to do. But I catch myself sometimes laughing and smiling because you know here an employee of here a couple of weeks ago, and uh you know this uh little kid uh donation thing that they sell various candy and the girl scouts or whatever came in with a box of candy and "support my kids, this little project" or whatever and it, there was some Lifesavers, and I start laughing and they say, "what are you laughing at?" and I say that reminds me of a story. Uh and uh one of the executions one night, and for some reason the warden had the air-conditioning down kinda low real low that night, it's kinda cold inside, we had taken the offender uh from the cell put 'em in, in the process of uh, strappin 'em down, he's sittin there laughin and jokin and he said he was cold and I asked the [person and title of position] to adjust the temperature a little bit so uh he looked at the

chaplain and said, "Chaplain, my throat's dry" and he said, "I got this candy, I'll ask the [person and title of position] if you can have it, if you don't mind I'll give him some candy" so the chaplain comes over and said, "His throat's dry, I have a piece of candy" and I said, "well give 'em some" and uhm he took a piece of candy, gave it to him and he kind of chuckled a little bit and he said uh, "I don't think it's gonna work" and he said uh we we looked around at 'em and "I don't think it's gonna work" and the chaplain, it dawned on him at the time what he was talkin about and "what are y'all talkin about?" the chaplain had pulled out the packet of candy from his pocket and it was a pack of Lifesavers and we all kind of started laughin about that you know. Five minutes later he's dead. But uh, things like that. Uh a past situation where the last statement uh is made in uh, the offender will say uh you know, "I have nothin to say warden." And the warden will be ready to do the signal and he says, "Oh oh oh one more thing, one more thing" and he, "what's that?" "How bout them Cowboys?" you know, things like that. So a lotta, a lotta pain involved in that too. But you tend to, you tend to smile about things when you can. But it's rare...For every experience we can find a smile, there's three times as many things that I can tell you that is so depressing about those....

Given the difficulties in working with executions despite the employment of medical procedures designed to mask all potential pain, the underlying human element involved

inherently continues to operate beneath all the layers of institutional formalities and controlled impression managements.

Regardless of how much training and socialization death row worker received within the rank and file prison culture designed to control or repress their emotions, the truth of the matter still comes to light, which is they are human beings labeled as correctional employees who are putting to death other human beings labeled and defined as condemned inmates. While the labeling process is designed to create cognitive barriers that dehumanize the inmates by the employees, the participants in this study were unable to achieve a state of mind devoid of all apprehension and empathy for those they put to death. The deeper we look into the death work, the more apparent it becomes how it is the most ordinary people can come to work with executions. Most of us would like to think we are morally superior in some way that we would never partake in such actions regardless of who make such requests, but as Mestrovic (2005) demonstrated well in his work on Abu Ghraib, many people would. He explained poisoned environments and social structures poison people.

Ritzer explained non-human technology has come to replace much work done by humans in many settings. This is not the case with executions in Texas. The death penalty is not carried out by machines or robots lacking feelings and emotions. Nor is it the case that most of the process relies on technologies to handle the inmates. The death penalty in Texas is still largely a hand's on process that depends on pseudo-white collar authority of the medical field and biased religious authority to legitimate capital punishment.

This is not to deny the trend of incorporating more forms of non-human technology to replace the roles of humans in the prison system; the overall system has been nothing short of serving as a primary model for the rationalization process. For example, some of the non-human technologies implemented into the Texas prison infrastructure are related to cell phone blocking devices (Graczyk 2013), surveillance technology (Lyons 2011), electronic medical record filing and a telemedical care system (Dolan 2011). In order to better understand how the implementation of non-human technology in the larger prison infrastructure has impacted the socialization processes of both prisoners and employees and the intervening role that plays in capital punishment, we need to quickly compare the previous trustee system with the current post-reform prison system in Texas. Will this logic continue on with relation to capital punishment procedures or will the death penalty eventually fade out as it did during the late 1960's¹⁴?

BUILDING TENDER SYSTEM, PRISON REFORM, AND RATIONALIZATION

The trend of the criminal justice system in the U.S. is working towards “rationalization” which in effect produces “irrational results” (Robinson 2006) inevitably extends to capital punishment. As noted prior, since the reinstatement of capital punishment in Texas back in 1981, the process has been fine tuned to where executions

¹⁴ As disturbing as it may be to imagine, a fully rationalized execution process would involve the condemned inmates undergoing executions with no human contact at all. Currently, the death work is highly ritualized that involves some level of human contact and interaction from the time the inmates are transported from death row in Livingston to the Walls Unit. This process includes the prison employees directly interacting with the inmates to varying degrees through the final moments where the prison chaplain places his hand on the inmate's lower leg to let he or she know they're not alone while undergoing the executions. A fully rationalized process might reflect a sci-fi situation where there is absolutely no human contact with the inmates and process is controlled by computers and machinery.

are perceived by the prison workers to have been carried out with total perfection, at least as described by the participants in this study. Unlike other states that do not carry out many executions, the high volume in Texas has led to, quite literally, mastery in the process. Furthermore, this faith with predictability in perfection served to help bring some level of ease when preparing to carry out an execution. That has allowed the prison workers to feel as though when they go into to engage in the death work, collectively they will indeed carry out perfect executions without any flaws at all which aids in seemingly less negative effects. For a variety of reasons, botched executions are the execution team's worst fear. However, also while as noted above carrying out executions is largely hands on process, significant transformations in the overall operations of the larger prison structures have taken place that directly affect the death row inmates. Over many years they spend in prison prior to their execution dates, they live in solitary confinement. The deprivations of solitary confinement experienced by inmates has incapacitating effects which serves to increase the inmates overall cooperation with the process¹⁵.

Participant's Thoughts on the Old System (Trustee) and the New (Super-max)

As reviewed in Chapter IV, the Texas prison system underwent infrastructural reform. Reverend Pickett's (2003) work does a superb job of illustrating both the good and the bad of what the prison was like when it had operated under the building tender

¹⁵ Important scholarly figure, Alexis de Tocqueville, was involved with the scholarly debates on prison reform. After visiting and studying the U.S. he went on to championed prison reform in Europe advocating the individual cell model he observed with the Pennsylvania System in the U.S. This model advocated solitary confinement with humanitarian goals to reform inmates, which was meant to move away from the practice of corporeal punishment. An analysis of the practice of solitary confinement using de Tocqueville's work is needed to help add important insights and viewpoints to the discussion on the questions regarding whether or not solitary confinement is cruel and unusual punishment.

system. Several of the employees who had worked in the Texas prisons during pre and post-reform periods felt that in many respects, the older system was better. But given the incredible growth of prison populations, the institution was heavily bureaucratized leading to a more rationalized, irrational system. This research is not claiming that the old system was necessarily “better.” The incredible violence and abuses were worthy of serious human rights concerns, but similar concerns and arguments can certainly be made with the post-reform system. This section will address how the process of rationalization of the post-reform system implemented into the formal and informal structures of the prison operations has played key roles in preparing death row inmates for their executions, beginning the moment they enter death row.

Capital punishment was reinstated in Texas at the same time the Texas Department of Corrections was required by law to implement major reformatory policies as per *Ruiz v Estelle* (1980). The new federal policies were implemented to address overcrowding and understaffing, the use of building tenders and turn keys fulfilling the duties of the guards, and the quality of medical care for the inmates (Marquart and Crouch 1985). The prison reform was meant to correct human rights issues. While some were addressed, others were created in the reform as capital punishment was reinstated and death row inmates would spend the rest of the natural lives in solitary confinement—in direct contrast to how capital offenders were treated in earlier times. Later in time, as explained by Timms (2008), Judge Justice,

decided that federal supervision no longer was merited in several areas that had been identified as problems...he concluded that constitutional

violations persisted in three major areas: conditions for inmates in ‘administrative segregation’ (solitary confinement), a failure to provide reasonable safety to inmates against assault and abuse from other, and the use of force by correctional officers. He indicated that for Texas prisons to be free of federal oversight, those problems needed to be addressed.

What was not addressed was death row inmates living in solitary confinement until their execution dates (often 1-2 decades). Mysteriously in the midst of all the reform discussions, the court has repeatedly ignored death row and capital punishment issues¹⁶. Research and empirical findings dating centuries back to Benjamin Rush and others demonstrated the damage solitary confinement causes. Psychiatric disorders develop in solitary coupled with other human rights concerns (Grassian 2006). The American Psychiatric Association (2012) has even raised concern and advising against its usage in a formal statement.

It may very well be the case that there are some inmates as highlighted by Francis that need to be segregated, which was approximately 5% of the death row population, but it is the case that it is overused and abused. This observation is supported by earlier times during the trustee system when many capital murderers served as

¹⁶ This research did not delve into the discussion on the intentions of the prison reform regarding whether or not prisoners sentenced to death being transferred to solitary confinement throughout their incarceration until the dates of executions was the result of unintended consequences, or it was done with clear intentions by the state as a means to gain greater compliance of inmates during the execution process. While earlier studies have shown the detrimental effects long-term solitary confinement has on inmate populations, the focus of this prison reform was on healthcare, adequate diets, and other issues that insured the physical health and well-being of the inmate populations. Virtually no attention was given to the psychological health and well-being of the inmate populations—specifically those who were transferred to solitary confinement. A future analysis on the practice of solitary confinement with death row inmates as related to being the results of intended or unintended consequences is much needed for a more complete understanding of the post-reform prison operations in Texas.

building tenders or turn keys when the system relied on violent means to maintain institutional control (Marquart and Crouch 1985). While violence was prevalent in the older system, it is still very much prevalent in the current system as well that has only transformed into different social arrangements within and between the correctional and inmate populations.

This research is not suggesting that returning to the older system where they serve as BT's and turn keys would be a better substitute for death row and capital murder inmates, but rather that alternatives beyond solitary confinement must be found that allow those inmates to be functioning and participating human beings within the prison setting, as a first step to improvement. Capital murder inmates did not live in solitary confinement in the past and many still do not, but in post-reform times those sentenced to death are the exception. Social isolation over long periods of time reduces the need for other resources necessary to debilitate the inmates into compliance. The incapacitation caused by solitary confinement leads to an overwhelming level of full voluntary cooperation of the inmates in order to carry out their own death sentences with little to no resistance. The effects of solitary confinement work hand-in-hand with the lethal injection illusion that presents the entire execution process as a peaceful and humane scene for the participants and witnesses. Any type of disturbance disrupts the scripts all actors are supposed to follow, as well as the setting in which the executions are carried out. This research argues that it was the incapacity caused by the deprivational effects of solitary confinement, which in turn, was the result of the layered

rationalization process of the post-prison reform that substitutes the roles of non-human technologies used to replace the work of humans in working with the execution process.

As shown in Chapter IV, earlier Texas prisons were very small and relied on little technology to house and manage the inmate populations since it was: 1. A trustee system and 2. Largely a plantation-type penal system (Trulson and Marquart 2010; Perkinson 2010). Bailey recalls during the desegregation period:

...we had already started desegregation, but what we didn't have at that time, you still had uh, had some segregation...uh you had the inmates living in like housing, the whites lived with the whites, the blacks lived with the blacks, and the Hispanics lived with the Hispanics, they even turned out the work you know they had field work...when you first come in, you have field squad, a line squad where you load 'em out on trailers and you have armed horsemen escort 'em down to uh where they work out in the fields, cut tress, or whatever the case may be, uh you had, they were called line forces. You had your Black line, and you had your white line, and you had your Mexican line. They actually worked in their own work space, okay, but the staff was predominately white because you didn't have that many minority employees in corrections when I first started.

But also while the Texas prisons at that time were largely plantation institutions dominated by majority white correctional workers, the BT social structures had built social codes that the correctional officials and inmates followed that are not applicable to

the post-reform prison populations. Tracey, who worked at the prison during pre and post-reform explains:

...the building tender system has a rule, the true building tender was, uh, not going to violate anybody else. But the rogues, it's like almost like in the police system now, you got rogue cops, you know, all cops aren't bad, you know, and all building tenders weren't bad. That, they they kinda helped me when I I started out, I started out in the [Name of Unit] as a correctional officer, and um, I was just green as can be I didn't, I [other profession] most of the time, and the building tender say uh, [name of participant], he said uh I'm going to show you what to do around here and I said okay. So he says, be careful now you got some people trying to run some games on you, but I'm going to be here to keep you in line. They taught me a lot about corrections.

When inquiring further about what made the building tender system bad—clarifying on whether it was a small few in both the staff and inmate populations that spoiled the whole system for everybody and personal thoughts on which system was better, Tracy explains further:

Both sides, yeah, yeah [referring to corruption in both the correction and inmate populations]. Well, see they couldn't have that power unless they got it from the staff... Well, I have to say, uh, so like I said the system of BT's had its good points and its bad points and you would probably say

the same thing now with the post-reforms, probably some good things out there and there's probably still some bad things.

Dana, who was employed during both the pre and post-reform eras, explained the system as:

(referring to post-reform) it was a completely different system as far as inmate management protocols and what have you. There were no building tenders, no turn keys...A big knock of what I've read, what I've heard, or having been expressed to me having been in that time period was that the chosen convicts, the building tenders, turn keys basically, if you're a convict and I'm a building tender, I get whatever I want from you, you know, if you get coffee "well I want that coffee" you know in other words it's a power thing, that wasn't the case. Or if I didn't like the way you looked at me I just go beatin your butt you know, and that wasn't the case. It, I never saw it that way, I really and truly didn't. What the advantage of it was is that those convicts that were made to be a building tender or turn-key by their request to work for us in the sense that they were co-optive [sic]. They could still get along with the population, but the population's view that if Goodman told you to do that well he had the power of the system behind him. Certainly they weren't armed or anything of that nature, like in Arkansas one time they had convicts carrying shotguns, they were actually officers so to speak but, Texas never was that way. From an economic viewpoint, the system back then

certainly was a lot smaller, 16 units, but the system back then was self-supporting. I actually I think put money into the state general fund, economically speaking because of the crops and the plantation style, the work programs that we had uh the industries, uh, people from other states would come to Texas, other correctional institutions to see how we did it, you know. Now a small part of the “we” I was a lower line class uh correctional officer, but we had it goin on. We didn’t have a lot of trouble, didn’t have a lot of escapes, uh, were there some brutalities, yes, I think there were. Was it every day, routine? No it wasn’t. Uh and another thing that skews my view, I worked at the [name of unit] and at that time in that 16 unit system, [name of unit] is where any convict that another unit was continuously having problems with or couldn’t handle, they went to [name of unit], and we had to have ‘em, they weren’t going anywhere else you know...and so it was, it was strict, it was just a way you mind your business and you’ll be okay, but if an officer tells you to do something you do it if you don’t, well you’re gonna suffer consequences, solitary, which was the real slappin the bread on the, you know uh, I did that, and I mean that’s the way it was. You give ‘em a full bill every third day or every 72 hours, and uh it’s was just bread and water, that’s what they got, and they stayed in there maximum 15 days and if they had their mind right, “okay yes sir major I’m ready to go to work” “okay do it, get your ass to work” you know *laughs* so it was, it

was tougher. So in many ways, in just a control and economically the system was better. There's no doubt in my mind it was better.

While under the very harsh conditions of the building tender system, the use of solitary confinement was limited to short durations that can still be harmful. Most certainly the dietary limitations of bread and water are questionable. But in the current system, while the dietary practices and physical conditions of the prisons may have been improved for solitary inmates, it is still inhumane. However, during the trustee days there were still significant limitations with the usage of solitary confinement in contrast to current times. The trade-off of a lifetime of solitary confinement in current times that comes with adequate food, shelter, medical care, etc., is with solitary during the pre-reform times during which inmates were placed in small boxes that were like ovens in the summer and freezers in the winter (Perkinson 2010). Inmates had little to no protections from the elements and were fed as Dana explained only bread and water. While the 72-hour limitations were in place, Perkinson cites a case where one inmate had spent 45 days in solitary and other situations where the inmates had died as a result of the horrendous conditions. Both of these extreme usages are inhumane.

As described above, the solitary confinement used for death row inmates in recent times is directly correlated with the changes involved with the rise of the super-max prisons. This practice results in serious harms to the inmates from many sensory and perceptual deprivations and historically, institutions found that extended periods of solitary confinement created the condition of insanity for many inmates, forcing the practice to be abolished (Smith 2006). As shown in this dissertation, some in the death

row inmate population appear to be mentally and emotionally dilapidated at the time of executions. Whether this level of mental deterioration was the result of solitary confinement or conditions present prior to incarceration, years of social isolation likely compounds those previous experiences. According to the participants in this study, the overwhelming majority of inmates were lethargic and exhibited other forms of psychological difficulties at the time of their execution.

While the Supreme Court has refused to recognize the extended use of solitary confinement as unconstitutional, in *Ford v Wainwright* (1986) Justice Thurgood Marshall held it was cruel and unusual punishment to execute offenders who became mentally ill while incarcerated. Despite centuries of empirical evidence showing the damage of solitary confinement and official position the American Psychiatric Association has taken overtly against its use, Texas and other states continue to carry out executions of inmates who spent many years in solitary confinement. Even Judge Justice, who has spurred the prison reform demanding humane conditions for the prison inmates, has consistently ignored the question of whether or not executing inmates who had spent years in solitary confinement is in violation of federal law in that respect. The building tender system, in contrast to the super-max system, had limited use of solitary confinement in comparison and did not carry out executions when my participants worked at the prison during these times.

With a different perspective on the post-reform system, Bailey who also worked during both pre and post-reform held:

Well, there's something gained and lost, you know in everything you do. But overall I'd have to say that the system today is better than the building tender system. And, the reason I say that is, everybody knew that the system was in place, I mean, it wasn't like it was some deep dark prison secret. That was the way the penitentiary system was managed in the South back then, and, and when it was a small system 17-22 units, the prison director can fix each building quarters, and then when it became a larger system and they couldn't do it then other people began picking these guys and the system got out of control. If you can, some aspects of it got like I said out of control so I think it will, overall in the long run the system today is better.

In terms of addressing the transition of reinstating the death penalty in Texas Bailey explains:

I don't think it's evolved in terms of everybody sat around and thought, "you know, we outta do something about that" I think, I think it just became formalized, I mean, I think at the very beginning everybody was really sensitive about it just in terms of, everybody deals with it differently, you know, I, I think there are generally very few people that are unaffected by it in one form or another....

Bailey's assessment is in line with Reverend Pickett's account of how the execution teams first emerged and the process first designed. As noted above, under the prior system, capital murderers were involved with upholding structures of the prison system

and maximizing financial revenue for the institution through prison labor (Pickett 2003). In the post-reform system, death row inmates live in separate cells with minimal human labor required to oversee this prison population. It should be remembered that Francis and Bailey said correctional officers requested to work on death row because this was one of the easiest inmate populations to work with. They felt the death row inmates are not a threat to others as long as they are kept within the prison setting and only a small portion of the total death row population are those who need to be kept in a 24-hour lockdown solitary confinement situation as these are the inmates who will harm themselves or others if given the opportunity.

As noted by the participants, the pre-reform system then was considerably smaller and it basically lost control due to rapid growth of the inmate populations in a very short period of time. As the system grew, the only real solution to handle the swollen prison populations was through bureaucratic means, primarily those designed to hold high numbers of prisoners to remain housed in locked down, secure correctional units rather than less secured buildings close to their work out in the fields or elsewhere. The BT system cannot work effectively with large inmate populations.

As the inmates were re-segregated by offenses, during post-reform maximum security prisons were built for more violent and dangerous inmates, as well as death row inmates. The post-reform buildings are incredibly expensive to construct and operate, even when minimizing the costs through relying on low level technology. Examples of low level technologies refer to the lack of training or specialization necessary for individuals to work with the tools or furnishings within the institution. Such examples

are with cell doors, hand-cuffs and shackles, and door slots to transfer food and other items into the inmate. Armed guards watch the inmates through surveillance cameras and the only physical and social contact inmates receive is when they are taken to showers, brief recreation periods, or other activities allowed within the protocols.

In providing insight to the level of personal invasion and lack of personal privacy that comes with the relatively rare moments of leaving the cell, Marquart et al. (2007) cite the correctional officers' rulebook with relation to recreation for death row inmates:

Prior to placing any inmate into the recreation area, the dayroom and recreation yard will be shaken down. Placing the inmate into the recreation area will be done by two officers approaching the inmate while he is confined in his cell, and give [*sic*] him the opportunity to recreate. If the inmate wants to recreate, the inmate must submit to a thorough strip search. The officer will shake down all clothing, shoes, etc. All clothing will be retained by the officers except for his underwear, shower shoes or tennis shoes. Once the inmate put his underwear and shoes on, the officer will order the inmate to back up to the cell door to be handcuffed. The inmate's back of hands will be facing each other with the thumbs out. The restraints will be placed on the inmate, and the wing officer will tell the picket officer to open the designated cell. The inmate will be escorted down the run with one officer in front and one officer behind the inmate, both using a hand held shield if no rolling shield is present.

Once the inmate is in the recreation area, the restraints will be removed. Note: At no time shall no [sic] more than one inmate be escorted to the recreation area. While inmates are recreating, officers assigned to the wings will shake down the inmate's cell for contraband. Inmates can bring the following items to the recreation area: 1) rolled cigarettes, 2) a little coffee and cup. Inmates cannot bring the following items to the recreation area: 1) cans of tobacco, 2) cans of coffee, 3) large amount of legal work, books, or anything that contraband could be concealed in, radio, fans, etc. (pp. 138-139).

The new system, designs, and treatments (or lack of) result in enormous deprivations (National Institute of Justice 2012; Bulman, Garcia, and Hernon 2012) and continual status reminders of the inmate's less than human relevance. Marquart et al. (2007) explained further that as inmates are maneuvered through the corridors the guards often shout, "Dead man comin' through" (p. 139).

Modernization, Deprivation, and Mental Illness

The levels of deprivation death row and other inmates experience in contemporary times results in increased psychological disorders and has led to higher suicide attempts and rates as noted by Skylar. The practice of solitary confinement is puzzling as several participants in this study felt that the majority of death row inmates are not a threat to others as long as they are kept within the prison setting. Of this population, they felt only a few in the entire bunch need to be kept in a 24-hour

lockdown solitary confinement situation as these are the inmates who will harm themselves or somebody else if given the opportunity.

When asked about the possibility of prisoners living the rest of their natural life in prison without the possibility of parole Tracy explained:

I think, when you have those, those people get convicted of capital murder, I think if you do background checks you'll see, I think, I think some people just need to be isolated, some of them, you know even though you, uh, uh, and others...you may be able to give them a little bit more freedom. Some, some of the hard core murderers, I think you need to keep them segregated. Does that make sense?

Francis, who worked with death row inmates and with the executions, helped clarify Tracy's response from the perspective of a correctional worker by describing death row inmates as a group were surprisingly meek, docile and did not come across as being dangerous when first working with them close up.

The observations and hunches made by the participants in this study regarding the potential dangerousness of the death row inmates is in line with the literature that shows it is actually rare for prisoners who have been released back into society, to commit murder a second time (Marquart, Ekland-Olson, and Sorenson 1989) and that there are very few serial killers or others as dangerous to human life in society at any given time. Murderers typically commit this crime only once and by the time they get to prison, they are in a completely different state of mind from when they had committed the crime, particularly if they had committed the crime out of desperation or under the

influence of alcohol or other substance. Serial killers, like one time murderers, blend into society with everybody else and defy the stereotypical images of “monsters” (Santaulària 2007; Scott 1996). Given that people who commit murder act in a civil manner outside of prison most of the time, it is not a surprise they act in this manner for the most part in prison. This tremendous appearance of cooperation is the result of not only the overestimation of dangerousness of the death row inmates, but the system itself.

But Francis offered a more in-depth description of the death row population that is tied to the difficulties of prison employees handling people who perhaps should rather be in mental institution rather than a prison. This is not surprising, since people change, particularly if they were under the influence of a substance when they committed the crime, committed crimes out of desperation, or even by accident. In addition, with the Law of Parties clause, some people on death row who are sentenced to death did not even commit the act of murder, but were only present during the act. Finally, some of the people are innocent and are less likely to threaten others sitting on death row. When correctional officers work with these populations, they are seeing people who are in sober states of mind and no longer in situations of desperation that gave rise to the situation resulting in murder.

Prison employees are trained to handle inmate populations from a correctional standpoint rather than a mental health or social science framework. The correctional standpoint frames inmates as animals or dangerous making it difficult to reconcile the actual realities of the situations associated with the inmates with the continuously reinforced socially constructed imagery of the inmates created and maintained by the

institution itself. Furthermore, to compound the complexity officers face in trying to interpret the inmate's behavior is the other issue induced by the environment of the total institution. The highly controlled dehumanizing conditions of prisons create other issues that may not have been present for inmates before incarceration, such as anger, frustration, depression, and so on.

In response to the question on how death row inmates might behave in prison on life sentences without the possibility of parole, Francis reflected back to the exception of the very small percentage of the death row inmate population that might cause a risk to others and to the system. The particular tiny segment was perceived as having issues beyond repair and fundamentally lacked any potential for successfully responding to rehabilitation:

I'd say about 95% of those individuals...fit that bill...but that 5% I saw, and this is the part that I changed, you have about 5% of those that we had locked up were mean, dangerous, deadly individuals. Uh and that I think was the one thing that I changed. I'm talking with a split tongue here, I'm telling you I don't believe in the death penalty, I'm telling you I don't believe anybody has the right to take a life, but that 5% of individuals I saw...they're dangerous in prison, let's not only take them out, they have no regard for human life whether it's mine, yours or anybody else, they just assume kill you in prison and if they could they'd kill you on the street. Now my feelings changed in that, that 5% there's no help for 'em—these are the 5% of folks that I saw out of [many

hundred death row inmates] they were just mean, they were just deadly, they would kill you if, quicker than just the blink of an eye, they were just that dangerous, and the only place for them was to remove them for our society.

What Francis was describing was directly related to the rather complicated issue of correctional facilities coming to play the role of serving as psychiatric wards for social outliers in society that virtually no human beings, regardless of their professional training and experience, would feel comfortable working with. Though this distinct segment Francis is speaking about is likely the same Marquart et al. (1996) highlight as those inmates who are sent to the prisons because they are too dangerous for maximum security psychiatric wards. And again, prison officers are trained to work to handle inmate populations in the prisons from a correctional standpoint and not mental health or any other stand point.

The trend of incarcerating the mentally ill has become more problematic to where Wacquant (2009) explains American penal institutions have become the first resort for the mentally ill who were thrown on the streets during the “deinstitutionalization” campaigns of the 60’s and 70’s. He explains that over one-quarter of the inmates residing in penal institutions in the U.S. have been treated for mental health issues, ten percent have been admitted to a psychological institute and that studies have shown that approximately 6-15 percent of the inmates sitting in city and county jails suffer from severe mental illness. Those figures increase for prison inmates where the estimates of severe mental illness range from approximately 10-15 percent of

the total inmate population. The Texas Department of State Health Services (2010) found 23% of all offenders who were in prison, on parole or probation, were current or former consumers of the DSHS state funded mental health system.

The small sample of the particular inmate population Francis is referencing with regard to whom might be legitimately eligible for capital punishment from his/her opinion, are not members of the groups cited above for receiving past mental health services. These particular individuals have no potential to be helped in anyway and are not responsive to the incapacitating effects the conditions of death row induced on inmates who were in relatively stable psychological health and well-being prior to entrance. The estimated five percent are those who likely should not be in a penal institution as again and correctional employees are not trained to handle inmates who are severely psychologically impaired (Torrey, Kennard, Eslinger, Lamb, Pavle 2010).

TOTAL CONTROL SWAPPED WITH, TOTAL CONTROL?

The underlying goal of both pre and post-reform systems was and is total control of the inmate populations. The trustee system relied on relatively little technology and finances to run the system, but there were problems with abuses and corruption among both the correctional and inmate populations. Even though convicts incarcerated for murder were not segregated to solitary confinement and there were serious human rights questions raised with the earlier building tender system, the murder rate within the Texas prisons among the inmates who were convicted of murder was incredibly low (Marquart and Crouch 1985). The need for solitary confinement of most people incarcerated for murder was not a necessity during the trustee or later, post-reform system as described

by the participants in this study. Given the rapid growth of the Texas prisons coupled with questions of human rights, intervention was needed. But whether or not the post-reform structural modifications as implemented were the best has led to critical questions raised by people of both the right and left in Texas.

Because of the explosion in incarceration rates during the late 1970's and early 1980's, the Texas prison system could hardly function without the development of a bureaucracy to maintain the needs and safety of both the staff and inmate populations; the gravitation towards rationalization with the changing trends in the prison world has been inevitable. With incorporating many new people of both the staff and inmate populations into developing infrastructure, greater control mechanisms were needed to ensure the predictability of both major populations. Ritzer explains rational systems are set up to gain control over the various uncertainties of social life and subordinates by the superiors.

For a system of the size it's grown to, despite the appreciation some have for the old trustee system, particularly with the development of new issues previously non-existent in the former system, the BT system is no longer feasible, at least in the prison system as it currently exists. Even if prisons and their populations within were to rapidly shrink, it would still not be a desirable alternative. The current system with smaller populations would be equally undesirable as the recidivism rates suggest. The criminal justice system is in dire need of an honest reform that is free of the abuses and motives involving economic exploitation and one that is devoted to reducing recidivism.

In addition, this rationalization involved desegregating inmates by color and re-segregating by crimes committed. The post-reform prison system built in solitary confinement for death row inmates that did not exist prior. Solitary confinement, as horrible as it may have been during the building tender system was limited to no more than 15 days at a time as noted by Dana above, although as Perkinson (2010) demonstrates, there were cases of gross violations and serious abuses. When prisoners were released from the horrid conditions of solitary confinement back into the harsh conditions of work, they were not necessarily at risk of experiencing some of the psychiatric issues associated with many years of solitary confinement could create. As Dana explained, guards would check on these prisoners and “when they got their head straight” they would let them out and put them back to work.

In contrast to current solitary confinement, the inmates are given healthy diets relative to the old, medical care, etc. These conditions satisfy the post-reform stipulations outlined by Judge Justice, but these apparent “radical” human right clauses also serve to ensure that death row inmates are in good physical health in order to undergo executions. Inmates who are in poor physical health and/or grossly malnourished cannot be executed. The medical care, nutritious diets, and so on, for death row inmates ensure they will have the physical health and longevity necessary to ensure:

1. Their presence on the day of their scheduled execution;
2. They are in the proper physical health to undergo the executions so the state is the one to take the credit for taking their lives;
- and 3. Ensuring the orders outlined in the death warrant have been satisfied.

As noted earlier, the participants in this study explained most inmates fully cooperate with the execution process and are ready to be put to death when that scheduled time arrives. Prisoners do so not because they fear the use of force by correction officers, but because solitary confinement depletes any desire to live any longer than necessary. Some participants said it is not unusual for death row inmates to even bypass appeals process just to get to their execution dates sooner. This research argues this use of solitary confinement is for the purpose of predictability and control. Under the building tender system, it would be much more difficult to attain the predictability of inmates cooperating with the execution teams when their execution dates arrive. Even with the more difficult physical conditions, through socialization with other inmates, etc., they would otherwise be in greater psychological health in comparison to current conditions on death row. In addition, the inmates would be in better physical shape, possibly creating higher risks for physical resistance for the execution teams when their time came to be placed on the gurney.

As has been emphasized by the participants in this study from their viewpoints as those who had to carry out the executions, the ideal execution scenario involves the inmates walking to the gurney and lying down with full cooperation and no struggles whatsoever. They explained it would create more emotional turmoil on the execution teams if they had to fight every inmate they had to execute and nobody would be willing to work under those conditions. Thus, as said by Dana, “there isn’t any room for any drama” despite the irony that the entire execution process is indeed a very real drama fully sponsored and choreographed by the state. The post-reform system then, through

solitary confinement, increases the predictability that inmates will fully cooperate with the execution teams when their executions dates arrive; naturally complimenting the overall sterilized medical imagery of the entire process. The perfect executions—if there is such a thing.

IRRATIONALITY OF RATIONALITY OF THE TEXAS PRISONS AND CAPITAL PUNISHMENT

We have seen how the Texas prison system and capital punishment is a rational system that is very irrational. While the bureaucracies may have served to empower the actual organization of the prison populations and increase efficiency of the institutions in various ways, the shifting of roles in the inmate populations has resulted greater chaos and violence in the prisons throughout Texas including highly organized prison gangs that did not exist prior. Incorporating capital punishment into the structure has added unnecessary work and roles for the prison employees to fulfill and has been expensive for both the tax payers in the State of Texas and the prison operations.

Whereas the old system brought money into the state fund, the current system costs the State of Texas approximately \$3.3 billion dollars per year as of the fiscal year for 2010 (The Vera Institute of Justice 2012). It is no secret Texas, along with other southern states, has some of the highest poverty rates in the nation and invests incredible resources into the criminal justice system, while neglecting the poor and the public education system. In a capitalist society, crime and delinquency rates increase when legitimate means of survival and socialization are barred to certain groups, whom are the

beneficiaries of systemic social neglect and blocked opportunities (Reiman and Leighton 2012; Waquant 2009).

The \$3.3 billion dollars annually spent on the prison system could be used to empower the state through working towards alleviating poverty and improving the public education system. Better life conditions and higher quality education lowers crime rates, which would generate a win-win situation for all Texans (with the exception of the very small minority who profit greatly, politically and/or economically from the current very backwards system). The demand for low-paying and low status correctional jobs could be replaced with needed professional positions that invest into underprivileged communities in positive and empowering ways.

The money to fund the public education system in Texas accrues debt that is ideally paid back by the tax payers at the end of fiscal years. But that has not been the case, as of Aug. 31, 2011, Texas school districts issued more than \$63.6 billion in outstanding debt, or about \$2,573.15 per Texas resident and \$13,530.12 per student” with the Dallas and Houston ISD’s having the most outstanding debt (Combs 2012). Note that while these two districts have the greatest education debts, they are the same areas that send the most people to death row as highlighted by participants in this study. The U.S. Census Bureau (2011) reports the State of Texas having a poverty rate of 17.4% in 2009 and 17.9% in 2010. USDA ERS (2012) reports the poverty rate in Texas increased to 18.5% with 26.6% of those living in poverty being children in 2011. They further report that the poverty rates for Dallas is 20% with 30% of the children living in

poverty and the poverty rate for Houston at 24.1% with 34.2% of the children living in poverty—both metropolitan areas having rates significantly higher than the state.

The number of families living in economically straining conditions, when underemployed households are taken into consideration, consists of adults employed at jobs that do not pay enough to allow the family to meet their minimum needs with one income. Ehrenreich (2011) sheds light on how serious the issue of people living in or near poverty is in these particular areas of Texas. In 2008 Texas paid its workers less than 10.5% of the national average and less than 5.5% of the southern regional average wages (Center for Public Policy Priorities 2009). The literature has shown the majority of crime is concentrated in urban areas and often in areas that are economically impoverished due to systemic and institutional related discriminatory practices. As Francis pointed out, the highest numbers of defendants sentenced to death come from Harris, Bexar, and Dallas counties. As the data shows, those who are executed disproportionately come from poverty.

In 2010 the murder rate in Texas was 5.0 for every 100,000 with a total 1,248 reported murders throughout the state (TDPS 2010). While the death sentences have declined over the years in Texas, the data shows that between the years of 2008-2012, 22 of 254 counties have sentenced 46 people to death with Dallas County being in the lead with 6 new sentences and Harris County third with 5 new sentences (TCADP 2012). As has been demonstrated by research, the death penalty is biased as: “The death penalty has never been applied fairly across race, class, and gender lines. Who is sentenced to

die often depends on the attitudes of prosecutors, where one is tried, the prejudices of judges and juries, and the abilities and commitment of defense attorneys” (ACLU 2011).

While it has been widely suggested there is no racial bias the death sentencing in Texas, the data shows otherwise. Again, the disproportionate numbers of people who are sentenced to death are of color and people who are convicted of murdering white victims are more likely to be sentenced to death than people who are convicted of murdering victims of color. The other component along with the race of the perpetrator, race of the victim, and social location, is SES.

With all of the factors above combined, it should be clear that capital punishment is not applied equally to all people who commit the same crimes and that those who come from the most vulnerable of social circumstances embedded with systemic histories of inequality have the highest risks of being sentenced to death. The costs associated with capital punishment are very expensive economically and socially. The costs to house capital offenders are very high in comparison to the old trustee system. The growth of the criminal justice system in a relatively short period of time has required the development of bureaucracies to manage the many different sectors of the penal infrastructure. The massive growth in prison populations has manifested new types of criminal activity and increased levels of violence unfamiliar to earlier times of incarceration practices.

Despite the centuries of findings on the effects of incarceration and many reforms making valiant attempts of creating correctional facilities designed to create humane conditions for the inmates and reduce recidivism, the criminal justice system in

the U.S. and Texas has been moving backwards. This, despite hundreds of years of direct experience and findings—with death row inmates representing the epitome of the irrationalities operating in a highly rational system. In addressing all people who live in solitary confinement, Rhodes holds: “His condition results from the application of an intensive political technology and is advertised as the necessary and lawful exclusion of the most dangerous” (2005: 389), even though in all reality only a very small segment of these populations need to be segregated to that degree for both their own safety and the safety of others.

CONCLUSION

The support of capital punishment in Texas by the general public is unique to other states, as well as other nations throughout the world. Hessing, de Keijser, and Ellfers (2003) studied proponents of the death penalty in an abolitionist nation to identify key characteristics with the minority population in support. They found that the supporters of capital punishment can be best defined in attitudinal terms as part of a law and order syndrome, where they endorse harsh treatment of offenders, willingness to grant extensive powers to justice authorities, have strong beliefs that the government is not delivering on the issue of crime fighting, and have higher concerns about the level of crime. In addition, this particular population tends to have higher proportions of people who abstain from voting and when partaking in voting, vote at either extreme of the political spectrum as opposed to central parties' supporters. The strongest supporters were found to be poorly educated and in the younger populations.

The characteristics associated with the pro-death penalty population in abolitionist-dominated Dutch society highlighted above and in many respects are parallel with the white dominated state culture in Texas. The policies the pro-death penalty supporters are in favor of investing resources on tough-on-crime actions while neglecting the public education system, populations living in economically fragile situations, and disenfranchising voters through a variety of means. When people are disenfranchised or the ability to vote is made difficult for members of the population, political monopolies tend remain dominant that serve to enact public policies that privilege dominant members of society and disadvantage subordinate members. Lower education levels tend to result in people favoring policies that are not in their own best interest.

For people to make it to death row, they must undergo a series of steps to get there that begin with arrest and moving through the trial phase. In order to have a surplus of death row inmates to undergo the state sanctioned ritualized process of capital punishment, and reinforce the “Texas Tough” propaganda channeled by the politicians, the state needs to have willing participants in this process. In this case, it needs counties who are willing to use their resources to support this racist and classist illusion, as it is counties that pay the costs related to death penalty cases, not the state. The propaganda focused on the small minorities that are actually put to death allows politicians to operate through a highly manipulated rhetoric that satisfies the broader predominantly white tough-on-crime and pro-death penalty supporters. These supporters, however, are not by any means representative of the larger, more diverse Texas population.

Counties who are willing to use their resources to support capital punishment cases, need to be confident their jurors are likely to sentence people to death. In the State of Texas, when serving on a capital jury the jurors must be what is called “death qualified,” which is where: “In order to be ‘death-qualified’ to serve on a capital jury, a person must be willing to consider all of the sentencing options - usually death and life imprisonment without parole. If their opinions would prevent them from considering any of the sentencing options, then they are not “death-qualified” and are stricken from serving on the jury” (Capital Punishment in Context 2013). Thus, no anti-death penalty individuals will be found on capital juries in Texas and all jurors then reflect the social and political characteristics identified by Hessing, de Keijser, and Ellfers (2003) when deliberating. Haney (1997) explains:

Unique social psychological conditions exist that enable capital jurors to contemplate, discuss, and take actions to bring about the death of another...moral disengagement in the context of existing capital trial procedures: the dehumanization of the victim, the exaggeration of difference, the perception that one's actions are compelled by self-protection or self-defense, the minimization of the human consequences of one's actions, and the diffusion of personal responsibility through reliance on instructional authorization...[are] mechanisms are essential to any system of Democratically administered capital punishment that depends on ordinary citizens to overcome deep-seated prohibitions against violence and assist in taking the life of a fellow citizen.

These same conditions reflect many segments of the U.S. population, as shown throughout the dissertation, are applicable in magnified comparison to prison employees who work with the execution process.

The McDonalization of capital punishment is thus a reflection of a highly rational society that has resulted in incredible irrationalities. Such societies strive for the theoretical elements of efficiency, predictability, calculability, substitution of non-human technology, and control, with each aiding in a reduction of critical thinking, decisions making processes that are habitual, and the reduction in inability or likelihood to question authority. In the case of capital punishment in Texas, solitary confinement is used to further satisfy those theoretical elements. The prisons adequately meeting the “human rights requirements” outlined in the post-reform mandates for those spending the rest of their natural lives in solitary confinement has not been done purely in the spirit of social justice; rather this research argues they are met to ensure the longevity and health of the inmates is safely preserved so they can undergo the executions carried out by the state.

Justice William Wayne Justice had implemented radical reform policies transforming the old trustee system into the modern day Texas penal system. These major reforms took place during the early Reagan era when the wars on crime and drugs were officially launched. Too often President Reagan and the Republican Party are cited as the culprits responsible for implementing the taxing prison infrastructure now accustomed to the entire nation. While that may be true to some degree, it is important to remember that both Republican and Democratic parties were equally instrumental in

supporting the rise of the prison empire in the U.S. It was Judge Justice who had created the blue prints for the prison system with the epicenter in Texas branching out through the rest of the nation, as we know it today (Perkinson 2010). These tough on crime initiatives, mass incarceration, and re-emergence of capital punishment, is not a partisan issue (Alexander 2012; Perkinson 2010).

These reforms, while addressing human rights issues, completely ignored, if not explicitly supported, the manifestation of other human rights violations. The supporters of prison reform wanted retributive justice. Many were outraged that people convicted of murder had some level of perceived freedoms and privileges in the Texas prisons. They wanted people convicted of murder to pay for their crimes. For many harboring vengeance oriented sentiments, the death row prisoners rotting away in a small cell with maximum deprivations prior to executions made the most sense. From their viewpoint, while ignoring the harsh prison conditions of the trustee system overall, things as participating in the prison rodeos, having limited access to various forms of entertainment as televisions, and so on, contradicted their ideas of what justice means.

As the literature has shown, life for inmates in the trustee system was not easy for any of the inmates. While considerably smaller, the correctional system in Texas was in dire need of human rights oriented reform beneficial to both the correctional workers and the prisoners. The prison reforms set forth by Judge Justice served to, at least project the appearance to the pro-death penalty public that murderers were getting harsher punishments, by transferring the status of inmates sentenced to death from rodeo stars, building tenders and turn keys to condemned inmates rotting away in solitary

confinement until their execution dates. And it served to satisfy the pro-reform advocates seeking to abolish the exploitation of prison labor and entertainment while ensuring that the reform would meet the human rights standards detailed above.

Thus, in Texas both Republicans and Democrats, even if unintentional to varying degrees, served to present the “get tough on criminals” image as a new and improved progressive approach reorganizing inmate populations into different housing units, which came to include maximum security facilities. These conditions, known as “the hole” or administrative segregation, previously reserved for only temporary usage to get inmates back into conformity or to segregate inmates for their own protection from other inmates, would be the permanent housing for death row inmates. The public is generally not versed in the history of solitary confinement, or the human rights and reformed oriented philosophy behind the initial practice that aimed to abolish corporeal punishment. The initial idea behind solitary confinement was to reform inmates convicted of crimes all the way up through murder. It was believed that solitude combined with laborious tasks would allow the inmates to reflect on their deeds and they would be reformed through penitence. While the model of individual cells used for prisoner populations remained a fundamental feature of the prison institutions in the U.S., for a period of time solitary confinement was abolished due to the negative effects it had on the inmates. Thus, the general public, unaware of this history and initial philosophy behind solitary confinement, likely did not question the consequences of its re-implementation beyond short durations, many decades later.

Even more problematic, only a small number of the people convicted of capital murder are sentenced to death. Yet having capital punishment in place seems to serve the function of pacifying the pro-death penalty masses despite its plethora of irrationalities, including executing innocent victims and the economic costs associated with capital punishment cases. The majority of inmates convicted of capital murder do not spend the rest of their lives in solitary confinement, even if they never see the outside world again. Yet shutting down the non-death row capital murder prisoners mental and sensory systems to such extreme degrees is not necessary since they will not be undergoing executions at some point in their futures (unless they commit a capital murder within the institution while serving their sentence, and then get sentenced to death).

In the case of death row inmates, the overall objectives are different. As outlined earlier by the participants, every execution must go perfectly and there is no room for error. In order to achieve the perfect executions, the preparation process must begin from the time of sentencing the inmates to death upon which they enter death row. The immediate deprivations work to transform the self of the prisoners into products of the institution, resulting in the prisoners losing their agency and psychological independence. Long-term effects, according to the participants in this study and the literature, result in extreme lethargy and a failure to thrive among most inmates. The effects, in other words, lead to full cooperation with the execution process and very few who put up a fight until the end.

Solitary confinement in other words, this study argues, serves to satisfy Ritzer's theoretical categories. The differential treatment between the capital inmates (solitary

versus non-solitary) has served as a major source of overall impression management by all parties involved with the process resulting in images of decency and respectability being upheld during the execution process. Such imagery reinforces the impressions of human rights goals of earlier prison reforms set forth by Judge Justice. After all, added to the visual components of the execution process are the inmates appearing physically healthy (free of malnutrition, in good physical health, and free of at least visual bodily abuse), meeting the post-reform human rights standards.

These reform elements set-forth by the Democratic side of politics, widely supported by both Republican and Democratic parties since, have not posed a conflict for the practice of capital punishment—particularly with lethal injection. Earlier methods raised human rights questions for both Republican and Democratic parties. Historical trends have shown that prison reforms have been related to abolishing brutal practices, including capital punishment. Scientists have repeatedly come forward with the claim of promising the perfect execution that is free of pain and suffering for the victim, only for the passage of time to unveil the gruesome realities and horrors associated with any forms of executions—including lethal injection¹⁷.

In the case of prison reform timing coupled with the newly claimed state of the art execution method of lethal injection, a perfect storm stirred up by both the

¹⁷ Please note that historically the harms of capital punishment have only been applied to the victims undergoing the executions. The promises of “pain free” and “morally sound” have not been applied to others implicated with the condemned prisoner, be they correctional workers, loved ones of the inmate, or the families of the victim(s) who the inmate was accused of harming. The promises of “pain free” and “morally sound” serve to pacify those involved as well as the larger society for only so long before people from all viewpoints begin to raise questions regarding the legitimacy of state sanctioned murder. This strategy for support for capital punishment demands that all implicated parties are willing to uphold their own oppression, the oppressive system, and the oppression of the inmates. The only individuals who win are the politicians that run on the tough on crime, pro-death penalty platforms—of which both republican and Democratic parties have done for decades.

Republican and Democratic parties was in place to reinstate capital punishment in Texas. With blind confidence, the general pro-death penalty supporters placed their trust into the political and professional authorities that executions would be humane and morally sound. The officials promised executions would be humane. They did not explain the structural changes involving the treatment of death row inmates in contrast to non-death row inmates were the underlying key to making the appearance of executions look humane. The use of solitary confinement is a practice given widespread support by the retributive oriented general public.

With the environmental conditions of solitary confinement serving as a non-human low-level technology that naturally breaks down critical thinking and decision making abilities, the ability to question and challenge authority in the same way non-solitary confinement inmates have a little bit more latitude to do, the groundwork for the elements of efficiency, predictability, calculability, are put into place with very little effort and resources. Capital punishment in contemporary times reflects the rationalization of an irrational society. Particularly when less than 1% of all people convicted of murder are sentenced to death and the costs of housing and executing death row inmates cost the tax payers billions of dollars.

As previously noted, the McDonadization of capital punishment attempts to, through the processes of rationalization, extinguish the human element from human beings who are asked to carry out the murder of other human beings and inmates undergoing the executions. As previously illustrated in history with Nazi Germany, or

the Spanish and Anglo-European genocide and colonization of North America, rational societies do not by any means equate to humane societies.

CHAPTER VI

CONCLUSION

HISTORICAL OVERVIEW: THE PRACTICE KEPT ALIVE

Texas has served as the poster child for capital punishment in the U.S. leading with the highest execution rates in the nation. The history of capital punishment in the U.S. has roots back to the founding of the nation where state sanctioned murder ranged from government ordered American Indian genocide during westward expansion and colonization to federal, state, and county-level sanctioned public lynchings. The violence and state sanctioned death is systemic and through evaluating the historical trajectory of the violence and employment of capital punishment in this nation, we can see that the lasting and resistant structural remnants are alive and well in contemporary society. Such vindictive and retributive beliefs and practices are deeply embedded in the American structures and institutions. As with anything else, capital punishment practiced in current times is a direct product of the very violent history of the U.S.

The manners in which people have been executed and the subsequent staged settings have changed across time. In an earlier period, executions took place in public settings often with carnival like atmospheres where the executioners and accused undergoing the execution, were the center attractions. In case of Texas, public lynchings were executed by local sheriffs, which continued until 1923 when the practice was centralized to the state prison at the Walls Unit. From then on all legal state sanctioned executions would be carried out by prison employees. It was through this transition that

execution settings transformed the public front-stage settings to the private backstage settings. It was also during this time that the legal execution method changed from lynching to the electric chair where 361 people would be electrocuted over the next 41 years.

The practice of executions with the electric chair in Texas ended in 1964 and later under *Furman v. Georgia* (1972) capital punishment was federally suspended due to questions about its constitutionality and whether it was cruel and unusual punishment. It was not long before capital punishment would resume under federal law with *Gregg v. Georgia* (1976). The first execution was with Gary Gilmore who was killed by firing squad in 1977. But other issues pertaining to crimes that warranted eligibility for the death penalty were still posing challenges to the legitimacy of capital punishment for the U.S. For example, under *Coker v. Georgia* (1977) the death penalty was prohibited for rape cases not involving the death of the victim. Since 1930 there have been 453 men executed for rape, and 405 of those men were Black (Hutchinson 2000).

The death penalty would not be reinstated in Texas until 1982 with lethal injection declared as official execution method. The first execution took place on December 7, 1982 with Charlie Brooks, Jr., and since then Texas has carried out 508 executions as of December 2013, and still counting. Throughout history into current times the death penalty has been consistently race and class biased, where the breakdown for the first 500 executions in Texas from 1976-2013 shows that disproportionately, Blacks more than other groups have been put to death as provided by Bump (2013) in Table 1 below:

Table 1: Executions in Texas by race and ethnicity between the years of 1976-2013 (Bump 2013).

Race/ethnicity	Percent of the population	Percent of The executions	Number of executions
White	45.0	45.0	225
Black	11.8	37.4	187
Hispanic	37.6	17.2	86
Other	5.6	3.0	2

The disparate numbers above with the rate of executions against African Americans is more than three times higher than the total Black population in Texas, with the rates for whites approximately proportionate to the white population, and lower for the Hispanics in comparison to the total Latino population in Texas. This point is important to emphasize because based on firsthand experience and largely personal approximations, the respondents reported no race bias with capital punishment. Their rational for their responses was that they had executed roughly the same number of people from the white, black and Hispanic groups. Several participants went further and said that the number of people they executed from each group were reflective of the larger demographics in Texas.

As highlighted earlier, the majority of capital punishment cases resulting in death sentences have come out of the largest and wealthiest metropolitan areas of Dallas,

Harris, and Travis counties. Accordingly, these are the same areas that have the largest concentrated Black populations in the state, with disproportionately many living in poverty. While there are significant numbers of other groups living in poverty in these counties, the negative race and class bias targeting the Black communities has been ongoing and reflective of the stereotypical “racism” that the State of Texas is so notoriously known for. As shown earlier, these counties have more resources to pay for capital cases than smaller counties throughout the state where:

The net effect of this burden on counties is a widely disparate and highly arbitrary use of the death penalty. “Rich” counties that can afford the high costs of the death penalty may seek this punishment often, while poorer counties may never seek it, settling for life sentences instead. In some areas, this geographical disparity can have racial effects as well, depending on the geographical location of racial minorities within the state. Some counties have approached the brink of bankruptcy because of one death penalty case that had to be repeated two or three times (Deiter 2009:19).

While the participants in this study unanimously felt the death penalty in Texas was not racist, they did express concerns that recognized the inconsistencies of application of the death penalty with the majority of cases coming from the larger metropolitan areas in Texas. They emphasized that it was rare when the prisoners they executed were sentenced to death by the smaller counties throughout the state. These observations were important because they are supported by the research. Without

counties having the willingness to use their resources to sentence people to death, there would not be a demand for prison employees to fulfill the death work. And it is ironic that counties that have plentiful resources with obscene levels of poverty rather invest their funds into costly practices as with capital punishment and other often irreversibly damaging practices that reinforce the poor conditions of the oppressed. It would seem that the counties that have the greatest wealth would want to rather invest into empowering avenues, such as, education, housing, employment and so on to help curb the ailments of poverty that lead to things as higher crime rates, higher levels of violence and so on.

This research argues that the pro-death penalty propaganda channeled by the state politicians is used to uphold the racist and classist structures this nation was built upon and reinforce the systemic exclusion of groups through the disparate application of capital punishment. The political propaganda, particularly when related to the death penalty, sends “tough-on-crime” messages to the public while resulting in the appearance that some groups are just more prone to violence than others. The general public often gains its knowledge of social issues through the media, which too often focuses on skewed and biased stories that triggers deeply instilled racist and classist fears. The media fails to educate the public on issues in ways that allow communities to be actively involved with finding solutions to their own local issues. This is especially damaging to the groups of color and those living in poverty—those who need to be voiced the most and who need more say in how their immediate conditions can be improved.

While the majority of people who commit capital crimes are not sentenced to death, the general public is not made aware of this. What they hear are promises from public figures as with Governor Perry cited earlier that if people commit capital crimes in Texas, they will face the ultimate punishment in Texas. They are not informed that the overwhelming majority of people who commit capital crimes do not get the death penalty. Moreover, they are not made aware a significant amount of their local resources are used to pay the costs for capital cases where the death penalty is sought. They are not aware that distribution of resources used to execute small number of people could otherwise be used to significantly improve schools, provide training and other opportunities for those in need, improve housing in low-income communities and so forth. When people form opinions that are in favor of tough-on-crime initiatives, they tend to blindly support those resources being channeled into the criminal justice system rather than other institutions that could minimize crime through preventative action, such as those just noted above.

But most of all, as highlighted by the participants in this study, when the public demands capital punishment to be in place, they fail to realize that there are people who have to carry out the executions. The practice of killing, be it lynching, burning, electricity, lethal injection, or otherwise, is systemic in nature—it is the same underlying act, just with different methods influenced by propaganda and various types of authoritative and respected figures relative to the times. The federal and state governments in this nation have always been dominated by a white elite and their political agendas have always been exclusionary in nature and advocate violent and/or

practices that involve high levels of deprivation meant to deter what is perceived to be deviant behavior. Retributive mentalities, likewise, have been embraced by the dominant groups and transmitted from one generation to the next. Such discriminatory beliefs, practices and policies in the U.S. have always been directed at people of color, the poor, and otherwise oppressed in the generic names of safety, justice, and equality. Such translations for the dominant group mean keeping themselves safe from those who are socially excluded as spelled out by Marquart et al.

U.S. society demands that capital punishment be in place, in the past this has required executioners and currently requires medical examiners and funeral home directors, creating more people beyond the prison involved with capital punishment. For the most part, those who do death work are largely invisible because of their stigmatized line of work. In order for them to be able to function somewhat normally in society, their involvement with death work often remains private in contrast to earlier times where the executioners were known to the public and stigmatized by larger society. Because of their invisibility and overwhelming scholarly neglect, both publicly and politically, this research sought to bring them to the forefront as living breathing individuals with their own personal issues, and positions regarding their work.

To help gain a better understanding of this unique hidden population, this research sought to learn how these people got involved with the death work and how they are different from the larger prison employee population, as well as the larger American society in general. Using theories to help provide greater insight and understandings to their responses, through Goffman's theory we learn how the many

years of socialization in the total institutional environments prep individuals, even those who were against the death penalty, to agree to participate in the death work. Through evaluating the history of social exclusion aided by Marquart et al.'s theory, we are able to see how the dominant belief systems were used in the prisons to legitimate the death work for the former prison employees in this study. And with Ritzer's work, we are able to see how the prison reform joined with the return of solitary confinement were instrumental in using the processes of rationalization to mask the dehumanizing conditions of the prison work and inmate populations, with a seemingly humane lethal practice, even to the employees who participated in this study.

While the theories were helpful assisting in a greater understanding of how and why it is that people can come to participate in death work, perhaps the most profound finding of this research is that this sample reveals that they are not really that much different than anybody else in U.S. society. There were not any monstrous characteristics or psychotic features that made them stand apart from others in American society. The diversity of the sample demonstrated quite the opposite. The findings of this study show that, given the right environments and socialization from a deterministic standpoint, most anybody is capable of engaging in death work.

Perhaps a way to contrast this general finding or to refute it, might be to carry out a future study that involves interviewing people who were invited or assigned by the institution to volunteer for the death work, but declined and risked any associated consequences, such as, lack of promotions. Such a study would be valuable to this particular focus on capital punishment through allowing comparisons of these unique

populations. As shown earlier, the recruiters select prison employees with certain characteristics and/or attributes to invite onto the execution teams. We got a glimpse of some of those who agreed, but a study of those who were invited but declined would be equally important as well.

This research is just a preliminary study on this topic. What made this study unique from earlier similar research was that the respondents were retired employees who had the ability to reflect back on their work. This study was able to identify any changes that might have taken place over the years without the involvement of the total institutions influencing their responses. In addition, sometimes evaluating personal experiences in retrospect are valuable because as time has passed since these events it allows people to process all that they have experienced, and then draw their own personal conclusions about their former situations without the authoritarian pressures of the total institutional environments. To provide a brief overview of how it was that the people in this research came to work with capital punishment, each of the theoretical frameworks used for this study will be reviewed below.

Goffman: Setting the Stage for Prison Employees to Work with Capital Punishment

Chapter III applied Goffman's Dramaturgical Model to the execution process with an emphasis on roles and staged settings within total institutions. It examined how power hierarchies are created through labels assigned to the roles people fulfill in the process, which similarly Goffman had empirically illustrated in his earlier work on asylums. This model was applied to capital punishment in Texas with a focus on retired prison employees who had worked with capital punishment. In the case of capital

punishment, the roles among the prison employees, the prisoners, and any witnesses, are deeply symbolic and continuously reinforce each other through varying diametrically opposing social statuses operating simultaneously within the total institution.

The staged settings are key in solidifying socially constructed realities that continuously reinforce the roles people play within prison institution, particularly in preparing the inmates to undergo executions. The staged settings in the prisons are layered in ways that uphold strictly segregated environments limiting access to the various physical spaces for visitors, inmates, and the employees. In part, the rigid access is for security purposes, but the layered stages with clear boundaries and/or privileged accessibility uphold the social roles all people are acting out and must conform to, while they are within the confines of the total institution.

Clothing attire and symbolism

The clothing people wear during the executions is further symbolic. Even though the execution process takes place through what several participants described as a purely voluntary process, the execution team and prison administrators still require the witnesses to dress in a formal manner when entering into the Walls Unit. These rules remind the witnesses that they are entering into a “sacred” institution where deference is to be shown to both the institution and the workers, when within these particular confines.

The correctional officers wear their standard uniforms and the higher level administrators wear their formal professional dress-suit attire accompanied with ties to show respect for the process and the institution, as well as for the inmate undergoing

executions. The prison uniforms and professional attire worn by the prison employees served as a constant reminder to all actors involved with the execution process of their elevated status and authority, which undergirds the social control elements that reinforce the overarching institutional power structure. But the participants in this study, who referenced the clothing topic of the execution process, emphasized that despite the circumstances of the event, they were going to be present at somebody's passing. Regardless of what that person was being executed for, they felt they had a moral responsibility as volunteers in the process to be dressed as professionally as possible to show the inmate their highest levels of respect during last moments of life.

In terms of the inmate undergoing the execution, it is during the last hour or so of life that the he or she is allowed to wear civilian clothing. While this exception may seem like a brief privilege, the condemned dehumanized status of the inmate was still deeply conveyed through the conditions related to the requests. The inmate clothing, even if more formal than the issued prison uniforms, was restricted to the availability of the items the prison has in its miscellaneous clothing storage. This storage was composed of used unclaimed clothing brought or transferred into the prison by earlier inmates. Their wishes were only granted if the prison had the requested items in their stored collection. What made their final clothing wishes even more challenging was that the clothing availability of the requests made had to fit the body size of the inmate undergoing the execution. For example, the stored clothing may have several blue button up shirts, jeans, or black pants, but none may be large enough to fit the prisoner leaving him or her to have to settle for similar attire or different colors. Sometimes the requests

could not be satisfied. From time to time the inmate's just requested their uniforms issued from the prison for the executions. Such requests may reflect the deeply internalized status of the prison and/or the possibility that the prisoner is undergoing execution without any loved ones present. Either way, such a request exemplifies the lack of personal value felt by the prisoner as a human being, the very thing the conditions the death row setting was designed to induce.

Symbolic interactionism and capital punishment

During the execution process there is no ambiguity or confusion related to roles or statuses for all involved actors who were either present as witnesses or direct participants in the execution process as prison employees. And clearly for all participating members of the capital punishment event, there was no confusion as to who the inmate undergoing the execution was. In order for executions to be carried out, all actors involved must play their assigned roles that are physically limited to their own restricted areas within the prison unit. All roles involved different ranks and status that bestow different levels of power, institutional access, and symbolic values to each. Most importantly, all people must believe the roles they are playing are important in order for them to uphold the execution process in a harmonious fashion. Certainly the roles are socially constructed but their ability to act them out, even if that means taking the life of another person in a purely sober and sound state of mind, is dependent on all actors believing their roles have significance.

Within Goffman's Dramaturgical model, it is not the individual actors who central to this process, but the roles themselves. The fulfilled roles determine the

symbolic value behind each, and consequently, how the individual actors will interact with each other in response to the variation of role statuses that surround them. The actors as individual persons who fill the various roles come and go, but the socially constructed process related to the roles fulfilled by the many different individuals over time remains virtually the same across time. This chapter examined the ways in which people filling the many different roles involved with the executions had affected them from their angles and within their own status levels.

Marquart, Ekland-Olson, and Sorenson: Inclusionary/Exclusionary Relations

Reinforcing the Socially Constructed Realities of the Total Institutions

In Chapter IV, Marquart et al.'s implicit theory of race was used to examine the systemic history of violence and capital punishment spanning back to the colonization of North America by European settlers, from Spain first followed by the English. The colonization process involves the group with the most power dehumanizing "out-group members" by definition and fundamentally "otherizing" them through core ideologies that legitimates the brutality and exploitation, as in the case of North America. This process of "otherizing" indigenous groups through both enlightenment and religious ideologies was how they rationalized the widespread genocide and other forms of death throughout North America, as well as the massive territorial conquest. Likewise, we saw how these same ideologies "otherized" people of African ancestry and provided the basis for legitimating the slave institution that would rest at the economic foundation of what is now the United States of America.

Through Marquart et al.'s theory of social exclusion, we saw how these inclusionary and exclusionary social processes are inextricably linked to societal shifts and patterns and inequality would never go away. Social structures are sensitive to change, but rather than move into new more positive trajectories, they continuously transform and adapt to the various institutional changes that are always in favor those with power. That is, the various forms of violence and oppression in U.S. society will never go away despite seemingly progressive changes. Rather they would evolve and remain securely nested within the social fabric of American society, deeply embedded within all meandering social trajectories that would span their paths well into the future.

An analogy might be thinking of how the candy, taffy, is made. The ingredients are mixed up into a softer solid form where it is kneaded into a ball, then colors and flavors are added to it and it is stretched out into very long strips that are partitioned into little bite sized candies for the consumers. The main ingredients in the taffy are the same, but it is only the colors and flavors that create nominal differences within the same candy that make it appear different; in society, the colors and flavors may represent modifications in social policies that make them appear fundamentally different from one another and/or progressive in nature. The process of stretching the candy into long strips can be analogous to how the same initial elements in early U.S. society remain at the core of U.S. society as it spans across time. A bag of mixed taffy then could represent U.S. society and the different eras, changes, and so on, but regardless of which piece of taffy that is selected, the core ingredients and other characteristics that makes it taffy is the same. Plain white taffy might represent the basic and even most privileged sectors of

white society and the rest represent all other segments of those who have been systemically and routinely excluded from full participation in dominant society. The taffy's that are made and disposed of for whatever reason by either the manufacturer or the consumer can represent those who are deemed is existing outside the confines of the boundaries and protections of society, as Marquart et al. so emphasized, in their analysis using capital punishment in Texas as the primary example.

In following the application of Goffman's theory as applied to capital punishment, we were able to see further how the roles fulfilled by the prison employee's today thread back into a very long legacy of social exclusion that was in place prior to the emergence of the execution teams needed to carry out the executions in Texas in more contemporary times. In order for there to be people sentenced to death by the state, the state must operate using ideologies that exclude some people from the protective boundaries enjoyed by most citizens who are fully included by legal definition. As we saw religion and politics play important roles in reinforcing inclusive/exclusive ideologies that determine who is sentenced to death in capital trials as the overwhelming majority of people who commit murder are not sentenced to death.

Ritzer: Rationalizing the Death Work through Irrationality

The Ritzer chapter examined the irrationality of the rationalization of capital punishment. Prison workers find themselves in positions that involve carrying out the executions because of the long complex socialization processes that take place within the total institution setting. Working with executions in the prison is not something any of the participants had ever imagined prior to their employment, nor was it imagined when

they had made corrections their permanent profession. The same was true for even those few who began after the death penalty had been reinstated. These participants did not envision their future employment would entail taking the lives of others. Had they been able to look into a crystal ball and see that would have been a part of their job before accepting employment at the prison, very clearly some would have selected a different professional path to follow. Others may have still stayed on the same path, but it is difficult to know given the powerful socialization processes that take place over a very long periods of time before they reach the crossroads that require them to choose which direction to take with regard to working with the executions or not.

In proceeding on the path that involved execution work, there were many factors reported that influenced their personal decisions to join the elite teams. Their accounts ranged from possible promotions and career advancements, invisible pressures involving feeling the need to comply their superiors invitations and/or requests, or mere human curiosity to feeling a need to lend support to those being executed, particularly by those who held anti-death penalty positions prior to working with the executions. In some cases, their participation was a requirement of their higher level position. There was not any single shared reason for joining the execution teams reported by the participants in this study. But their internalized and independent rationales were undoubtedly combined with the socialization features of the total institution experienced by all. Selecting the other path may have resulted in less institutional rewards for most, but certainly greater life-long peace of mind for all who participated in this study.

Advice from participants to future execution team members

The participants in this study were asked what advice they would give to future prison employees who may one day find themselves contemplating the decision of taking up an invitation to participate on an execution team. They explained it's one of those things where after you see the first one you cannot go back and undo it, erase it, or get back to the point you were before witnessing the first execution. Even the seemingly strongest, most fearless, emotionally and psychologically strong, of individuals are still at risk of experiencing irreversible negative effects. Those negative effects can be repressed through things as alcohol and prescription drug usage, therapy, and so on, but the experiences and memories cannot be magically removed, erased, and/or undone.

As highlighted above, many reasons were given by the retired prison employees as to why people agree to serve on execution teams. But unanimously, all participants in this study agreed that people who were eager or yearning to serve on execution teams were not recruited for the death work. Those who were invited to join the execution teams held certain characteristics that were in some way valued by those who promote the prison workers over long periods and/or who make those invitations to join the execution teams. Most all the participants had more humble, quiet, and reserved dispositions. Shared qualities between all participants in this study reflected genuine caring and compassion for life and human beings in general, often softer demeanors, patience, and overall understanding and wisdom of human beings behaving at both their best and worst, that can only come from direct experience.

None of these people looked like “murderers” or accomplices, and in most cases, it was incredibly difficult to reconcile their former work with their faces. This is not to say these people were “weak” or otherwise “not fit” to be selected to partake in the execution work. These people were quite capable of doing the work, as they did. Most had very neutral personalities in general, meaning they lacked hyper-masculine or hyper-macho or extreme partisan qualities. In some cases, more rugged qualities were conveyed through non-verbal communication. Because their valued characteristics were not based on political or religious orientations towards capital punishment, prison employees of most any background and group affiliation could potentially be asked to join.

This research argues that the prison institution seeking out these particular qualities when seeking individuals to work with capital punishment is not by accident. At first, it seems quite the opposite would have been sought. But counterintuitively, the shared features by the participants serve to uphold the staged image that capital punishment is humane as presented by the state. As noted earlier, having correctional employees who display otherwise would quickly raise questions about its legitimacy. History has repeatedly shown that as new execution methods are presented as the new humane way to take the lives of the condemned, they become accepted by society when the dominant members of the public are convinced that capital punishment is a legitimate and humane way to handle accused capital offenders. Then over a period of time, the new innovative humane methods come under question and eventually, either the methods change or capital punishment is put on hold until questions of cruel and

unusual punishment can be addressed. Rather than abolishing the death penalty as social progress, instead these concerns are rather mitigated with new “state of the art humane methods” of capital punishment. The new methods are used until eventually they come under question.

The characteristics of the participants are most desirable because while they’ve been successful in showing they are “hard core” by enforcing the laws of the state with indifference, they have over the years shown their ability to effectively calm inmates in distress and handle complicated matters. The most desirable employees for death work are those who can effectively calm the inmates and prepare them for their deaths without a fight. The years of re-socialization of the inmate in solitary confinement coupled with the re-socialization the prison employees experience serve to create a highly cooperative death penalty process. The power-subordinate relations have been established so when the inmates get to the death chamber, the prison employees do not have to show their power and authority through “hard core” imagery and techniques. Rather, because they are mostly genuinely caring people, they can relax their roles and engage in role reversal for a short period of time. These relaxed roles are not seen by the other correctional workers, so there is no risk of not being perceived as “hard core” by others.

The participants in this study did not seem aware of this phenomenon, other than that they spoke very highly of most others who work with the executions. While it is difficult to find any way to glorify death work or present it in a positive light, the participants in this study took great pride with the compassion and level of professionalism the execution teams had shown for the death row inmates and execution

process. As shown earlier, this point was emphasized with how while the entire process is “voluntary” for all the prison employees, they still dress up for the executions and expect all others who are present to follow a dress code. While they had different strategies to prepare themselves for their participation, in some cases that included reviewing the files beforehand, all had felt respect for the condemned inmate must be shown.

In line with Reverend Carroll Pickett’s experience, the primary goal of working with executions as described by the participants in this study was to gain trust and get the inmates to fully and voluntarily cooperate with the entire capital punishment process. Most of these participants seemed to have the ability to break down social barriers and gain trust within moments of first meeting them, likely because of their genuinely caring and rather upfront personalities. The Tom Hank’s role in the Green Mile (1999) would provide a nice comparison with several of the participants in this study. Like the Hanks role in the movie, they worked in a profession where they enforced the laws the best they could, whether they personally agreed with them or not, to the best of their abilities.

Likely the participants in this study were selected to do death work because they possessed the very complex social characteristics and emotional intelligence necessary to carry out the death work in the most professional manner possible. As reported by some participants, there had been less desirable people working on the teams at times, but as higher level supervisors and administrators, they did their best to be highly careful and selective with the invitation process. The participants in this study were at some point in the correctional career, invited or recruited and were selected because of

characteristics appreciated by the recruiter. As we saw above, personal political and religious orientations were not qualifications, but rather personal character and the demonstrated abilities to work effectively with the complicated inmate populations. While the reasons for agreeing to partake in execution work were different, shared among all participants was the long socialization processes within the total institution that influenced their decisions to agree to become members of the execution teams.

Further, the socialization processes involved with McDonaldization led the respondents to conclude the capital punishment and the lethal injection method was humane. The McDonalization of capital punishment reflects the conceptions of professionalism the employees emphasized as being the most important characteristics of the process. But for most, what made it easier for them to agree to serve on execution teams was the perception that lethal injection was a very fast, clean, and humane way to put people to death, which they contrasted with the electric chair used in earlier times. Each of these methods involved Ritzer's core theoretical components of efficiency (perceived goals being satisfied); calculability (perceived process being quick in delivery); predictability (perceived mastery of the process); and ultimately rationality (the process of separating human feelings and emotions from the work). In contrast to Goffman's chapter that was focused on roles being played within the layered staged settings and Marquart et al.'s chapter that had focused on the inclusionary and exclusionary social dynamics of society and the practice of capital punishment, the Ritzer chapter highlighted aspects related to the application and ritualistic performances that make the process seem as though they are "state of the art" and humane, but in

reality reflect how the rationalization of capital punishment serves to ultimately dehumanize all people who are in any way implicated with the process, including the prison employees.

RECOMMENDATIONS FOR FUTURE STUDIES

The impact capital punishment has on prison employees who work directly with executions has had little attention among scholars. Due to limited time and resources, this study only hits the tip of the iceberg as the many of the issues addressed in this dissertation run much deeper. Approximately one and a half-hour with each participant was simply not enough time to build the trust and rapport necessary allow for the participants to openly share more intimate details about their personal experiences and feelings related to their prior work. All of the participants were operating at different levels in terms of how deeply they have reflectively thought about their work.

In several cases their strategy to manage any questions or concerns related to their prior work was to just simply not talk about it and repress those memories, as all participants are now living in different chapters of their lives entirely unrelated to capital punishment and in most cases, corrections altogether. It was especially apparent when several paused after particular questions were asked and in response, suggesting that nobody had ever asked those questions before. Several participants had mentioned that this study was the first time anybody had ever asked them how capital punishment had affected them. Previous interviews or questions asked of them by others had focused on the debate regarding capital punishment and whether or not they were for or against the death penalty.

Future studies of prison employees who work with, or have worked with capital punishment need to focus on the experiences of the employees rather than these larger debates. Just as children who are raised in divorced families and caught in the middle of often life-long disputes between the parents, the same holds true with the prison employees who work with executions with respect to the debate of capital punishment. The death penalty is a topic that lacks social consensus and rarely can achieve mutual agreement. Too often we allow our personal feelings and emotions divert our focus of capital punishment on to the debate, even as scholars striving for objectivity. So the first recommendation is to keep the focus squarely on the participants and their feelings and experiences as operating in retrospect while avoiding the pitfall of the topic spiraling into the realm of the larger debate. Further, be prepared to hear them say things that may not be in agreement with conceptions of political correctness and things that were not anticipated or predicted. That is a general rule in the world of ethnography, but it is strongly re-emphasized here.

This study was primarily focusing on the psychological and emotional negative effects related to working with capital punishment. But Robin had suggested that future studies might look into the physical effects this work can have on the prison workers also. By that, Robin provided an example of an individual who had diabetes. The high stress associated with working with the executions had taken a physical toll on that person's body so severe that a leg had to be amputated followed with out of control blood pressure and heart problems. Future studies that are focused on the effects capital

punishment has on prison employees should also include possible stress induced physical effects.

Aside from reporting alcohol usage parallel to Johnson's (2005) findings, seeking out private counseling (Pickett 2003), and reporting various negative effects they observed others had experienced, the respondents in this study suggested they were handling any negative effects fine on their own and within their own private ways. A major theme was all the participants explained that while felt they were not experiencing any negative effects at the time the interviews were conducted, they were concerned for others. The many years of socialization for these participant involved training in repression of personal emotions and following orders as subordinates under the rank and file system. Total institutions require mastery of impression management of their employees at all levels. This achieved trait seemed to have remained well embedded long after retirement for the respondents in this study. These types of stress management strategies are very similar to how service members who return home from the military respond to their families and environments.

Because of this level of repression, future studies should also investigate post-traumatic-stress-syndrome (PTSD) and involvement executions and other controversial duties prison employees are required to carry out as the rates are higher for correctional officers than the general public (Owen 2014). The negative effects for the average correctional workers are higher than other professions where the suicide rate for correction officers is 39% higher than any other occupation and the divorce and substance abuse rates are higher than the general population (American Correction

Officer 2014). This research argues that such risks run even higher for the prison employees who work with executions and other controversial duties.

For nearly a century the military has studied its soldiers and realized the psychological damages war has caused to the U.S. military veterans. This phenomenon used to be called “shellshock” and is now recognized as PTSD, which is believed to be that one of the major culprits of the mental health crisis among service members resulting in high rates of depression and other disorders, homelessness, and suicide (Williamson and Mulhall 2009). Findings show that the goal should be to prevent PTSD, as it is a disorder that has no cure and can only be treated through medication and therapy (Ozer and Weiss 2004):

Although these interventions may help alleviate individual symptoms, they are obviously inadequate for addressing the harm to social institutions or promoting long-term healing and mental health if the sources of persistent trauma are not addressed. When PTSD is a consequence of collective social and political conditions, primary prevention of this disorder involves social and political changes in the community or nation, as does repair of the social fabric. Thus, perhaps more than any other psychological disorder, PTSD forces consideration of advocacy and political action as primary (universal) prevention tools (p. 172).

This research argues that taking the lives of others, whether its state sanctioned orders given to service members or to domestic correction workers, potential risks for

irreversible damages and prevention strategies should apply equally to both groups. As with the military, preventative measures for the correctional workers must be made at the structural levels and be reflected in the social and political conditions to ensure no one suffers irreversible harms due to the controversial work the state asks and/or orders their employees to fulfill. Most Western nations have abolished the death penalty.

Another damaging practice directly correlated with the death penalty is solitary confinement which according to the U.N. can be considered torture. In the U.S. there are approximately 80,000 prison inmates living in solitary confinement (Miles 2013). This research argues that any form of punishment and torture prison employees are required to use is damaging to both the inmates and the prison employees. And because of the size the prison empire has become in the U.S. coupled with the high turn-over rate in the correctional field, this research argues that the criminal justice system also claims many casualties in both the inmate and correctional populations.

And while this research did not inquire about levels of isolation to the degree of Zimmer and Jacob's (1981) study on the social dynamics of standard prison employees, most respondents did suggest they speak to very few about the death work. Most generally, the only people they have conversations with are those who had also worked on execution teams. The participants in this study were primarily socially active in various organizations or favorite hobbies, some still working in the corrections or employed in other fields and so on. The functioning of their personal and daily lives seemed healthy and overall productive and it may be the case they were. But too often individuals who are suffering from depression and other stressed induced ailments hide

their personal problems very well. The core training from the prison teaches this. But studies have shown people who experience deep level emotional and psychological harms often are able to hide them well. With relation to suicide for example, the most common response from the survivors of someone else's suicide were that they did not see it coming (Lukas 2007; Cobain 2006). As with PTSD above, suicide is one of those consequences that cannot be cured or reversed, only prevented.

But this research is not comfortable using a handful of participants in this study as examples to conclude then, that people can participate in death work and enjoy ordinary lives upon retirement virtually free of negative consequences. Likewise, the participants in this study did not make such conclusions. That simply is not the case. As highlighted throughout the manuscript, the data and other accounts show otherwise. Attempting to study the rates of PTSD and suicide for retired correction workers aside from the general correctional employee populations would be difficult as they are generally hidden populations. But it may be worthwhile for a future study that has the time, access, and resources to look into this more extensively. The empirical findings of higher rates of such problems in general prison employee populations warrants such future research along with as Robin strongly suggested, also investigating the physical health effects the death work can have on people.

Further investigation needs to be done also on the unique difficulties prison chaplains and religious ministers have when working with capital punishment and death row inmates. More specifically, further investigation needs to be done on those chaplains and ministers that subscribe to an anti-death penalty orientation who work with death

row inmates and capital punishment. In Texas, with the growth of the chaplaincy program, chaplains representing diverse faiths are matched up with the death row inmates according to their faith. According to TDCJ, this assignment begins when the prisoners arrive at death row. These chaplains work with the inmates up through the dates of their scheduled executions. However, TDCJ was not clear on whether or not those assigned chaplains are allowed to be present in the death chamber as the inmates undergo their executions or the current process still operates as it did when the participants in this study were employed for TDC/TDCJ.

Remember that at the time the participants in this study were working with capital punishment, there was a primary prison chaplain that was present with the inmates in the death chamber as they were put to death. Other ministers could be present with the inmates on the days of the executions, but in many cases they had to view the executions in visitor's booth while the prison chaplain assigned to work with executions was present with the inmate. In the cases of the participants in this study, the chaplains who worked with the executions at that time were Protestant Christians that subscribed to a pro-death penalty orientation, which served to legitimate their work. In recent years, it was indicated that a Catholic chaplain had been working with capital punishment. While the Catholic Church has an outspoken position against the death penalty, the chaplain, as well as the Protestant chaplains has to mitigate their belief systems to be compatible with their execution work. Prison chaplains and ministers who work with capital punishment and death row inmates need further investigation.

Recommendations from the Former Prison Employees

Each of the participants were asked about any recommendations they would make with regard to the capital punishment process in general as they remember it, or recommendations they would make for the institution to incorporate changes that would reduce any potential negative effects the participants might experience as a consequence of working with the execution process. The first thing that was apparent among the participants was that such questions would not have to be asked if capital punishment was not practiced in the first place. But given the sober reality that it is and people do serve as actors representing the state to enforce those laws; these are questions that can be best answered by those who have worked with it.

Pre, periodic, and post evaluations

As indicated earlier, some of the participants had recommended that a standard protocol process involving pre and post evaluations are set in place, as well as periodic evaluations that regularly monitor those involved with the death work. They felt that these evaluations were very important for the institution to monitor and identify any changes among the workers, which would allow for early intervention. Give that the negative consequences of the death work can be irreversible once the person is affected, early intervention is better than none at all. But still, the only way to operate out of a preventative framework is to stop the practice of capital punishment.

The culture of the prison employees and the institution is stoic in nature making it difficult for the members of the execution teams to know how to handle difficult sensitive situations at personal levels or where to turn to if they feel they may be in need

of additional services. Clearly the workers are effective in working with the inmates and sensitive issues in those populations, as well as providing support to each other, but from their own personal accounts, they undergo personal emotional and psychological neglect. So simply making services available is not enough because the burden of personal monitoring and responsibility to get help is placed on the employees rather than the prison institution taking precautions to protect their employees from any potential harm that can result from the death work.

Incorporating evaluations within the standard protocols while capital punishment is still in place would allow the institution to identify any potential problems at the earliest stages and intervene accordingly. It may help the state further understand the importance of seeking out preventative measures related to the death work. A system that involved regular evaluations would also help relieve the employees of possible worries about losing their jobs, not making rank, or suffering any other negative consequences related to voluntarily requesting help. Lastly, that burden would be taken off the higher administration officials involved with the execution process. Conducting post-assessments would help ensure all people leaving the work are healthy and if they are suffering any type of negative effects, they can be assured ongoing care and support services if needed.

Anonymity and reporting personal difficulties

Some participants also felt it was crucial that avenues be set in place for the prison employees working with executions to have an anonymous, not merely confidential, but anonymous source with whom to share and/or report personal questions

and concerns. At the time of employment of the participants, some reported there was nothing at all put in place except the chaplains to turn to while others suggested that there was a general avenue through the bureaucratic scheme to seek out help, but it was not anonymous. They suggested the lack of privacy going through this route was not an acceptable option for the workers within the institution. This particular suggestion was made by participants who reported they had not suffered any negative consequences that they were aware of, but were concerned for others. If they truly had not experienced negative effects, they recognized the potential for others to have quite different experiences and took that very seriously. However, it may be the case that these participants may have learned how to deeply repress their own feelings and emotions related to their experiences and had such services been available at the time of their employment, they may have used them. Either way, it is a service they felt strongly needs to be in place for the execution teams and all others who do work with capital punishment; working with the death penalty voluntarily or not.

No turning back

And lastly, as highlighted earlier in the dissertation but re-emphasized here, the one piece of advice some of the participants would give to anybody who is ever invited to participate in the death work is that they can never go back to where they were before they witnessed the first one. It is not something that can be reversed and undone. It has been the case that some people who have been invited to carry out the work thought they would be fine but quit after the first one. As demonstrated by all participants in this study, this is not the type of work that gets easier with each passing execution, but rather

the opposite. With the first few or many, typically it's new and the employees are most concerned about doing their jobs correctly, but after their jobs are mastered they reach a point where they really don't want to be a part of it any longer for a variety of reasons. And in the end, when all is said and done, regardless of their feelings and positions of the death penalty, their former participation and memories are irreversible.

Learning how to cope with their prior work when entering into different life stages, such as retirement, can raise personal questions and concerns as the retired prison employees are then thinking about it in retrospect, free of the constraining influences of the total institution. While they have found their own ways to cope with their past experiences, they may continue to reflect on past actions that came with this line of work. For those who mentioned this as one of their recommendations, it all tied back to their experiences with their first executions. Their warnings about the irreversibility of capital punishment as related to the inmates were also tied to the participation in the death work.

One participant who had been in a profession for many years that involved people who had been killed in many different ways outside the prison, suggested that personally, witnessing death by lethal injection was easier than some of the other things that had been witnessed in the past. Only did this participant, who was not condoning capital punishment, but rather only comparing the potential for trauma levels associated with the experience of witnessing, not partaking in, but only witnessing the executions via lethal injection in contrast to other situations involving various types of graphic

fatalities, felt s/he was not particularly effected. But this particular participant's job was unique to the capital punishment work in comparison to that of the rest of the sample.

While it is true that people work in fields where they see traumas and fatalities (first responders as paramedics, police officers, investigators, doctors and nurses, morticians, and so on) that are arguably "much worse" than carrying out or witnessing executions, particularly through lethal injection, such people typically receive the professional training necessary to work in those areas. Such folks are trained to save lives if at all possible, handle the scenes, victims, etc., with care and professionalism. They have access to professional support beyond religious ministers to turn to without fearing the loss of their jobs, promotions, and so on, should they need it. Religious ministers are helpful, but have limitations, just as counselors and psychiatrists may be helpful and also have limitations. Some people may be in need of both.

It is important to remember that in the case of prison employees working with executions; their training within the institution has not been to kill the inmates. Prison inmates, despite how volatile the environments may be, are considered vulnerable populations. Their lives, health, and well-being are wholly the responsibility of the prisons. Inmates may sue the prison employees and institution should they be able to demonstrate harms have been done resulting from either abuse or neglect. The primary duties of the prison employees are to ensure the safety and security of all inmates regardless of their accused crimes, not harm or kill them.

The difference between the situations noted dealing with other types of traumas and fatalities and the people working with capital punishment is with what the state is

asking them to do. In most all other cases aside from the military, the state expects professionals to save lives, not take them, regardless of who the people may be or what they have done. In the case of the prison employees who work with capital punishment, the state is fundamentally unable to uphold the same expectations and preparation because such training would involves operating out of a contradictory ideological framework that humanizes the inmates rather than dehumanize, as with what is required of the death penalty. In order for the prison employees to agree to partake in this line of work, they have to succumb to the capital punishment ideology and be willing to agree to repress personal feelings and emotions that otherwise humanize the situation, the inmates, and even themselves, by all other professional standards.

Because the execution teams are considered volunteers by the state and the institution, the execution teams are responsible for setting the standards and maintaining conceptions of professionalism as the institution itself provides no such training or support. But here the concept of “professionalism” is even different from the other state employees noted above, as the context here involves complicated cognitive processes that attempt to defy the ethics and duties in all other professional fields. And as previously discussed, the institution has relied on the prison chaplain as the primary source of support to meet the needs of the prison employees. For the state to fail to afford employees who take the lives of others as ordered, the same protections and services afforded to employees who save lives and deal with other difficult issues and situations, should raise serious ethical concerns, for both society and the government.

METHODOLOGICAL RECOMMENDATIONS FOR FUTURE STUDIES

Questions on the Fate of Archival Data

Some of the interesting methodological issues confronted in this study were with the use of archival data owned by one of the participants in this study. The data was thoroughly rich in providing deeply layered backstage details of capital punishment, as well insight to the administrative operations of the prison regarding capital punishment. In a discussion with one participant about the future of the archival data, it was suggested by the participant that some may be donated to George Bush Presidential Library and Museum at Texas A&M University. In thinking about that possibility, given the purpose of the donation, from a student perspective it seemed as though making the donation to the main university library that holds and preserves archival documents and artifacts, the Cushing Library, might be a better alternative. At the university library, future scholars could use this important and valuable information for research on the death penalty. People who hold such important information must decide the fate of that information with the passage of time. When making those decisions, the individuals place trust into sources where the donations are made, that the data will be preserved and cared for in a competent and ethical manner. Given both places specialize in the preservation of historical documents and artifacts, again, the Cushing Library seemed as though it might be a better alternative for future scholarly research. If the purpose were to display expositions on the death penalty and so forth, then the George H. Bush Library and Museum might be appropriate. But given the topic of the archival data and

the partisan position of former President Bush Sr., the Cushing Library as a non-partisan specialized research facility might be a better fit for such a donation.

As a student with limited knowledge on the preservation of archival data coupled with carrying out a sensitive study when this discussion took place, no suggestions or recommendations were made at that moment in time. But as a researcher and thinking about methodological process that had to be satisfied to get this study approved, the questions of making suggestions on where this archival data might be donated became more complicated for a couple of reasons. First, in the protocol for this study, the greatest protections for the participants were afforded to protect their identities. That is, a Certificate of Confidentiality was obtained from the NIMH in addition to approval from TAMU IRB. The information in some of the archival data holds the identities of people who have participated in the executions beyond the participant, as well as loved ones of both the accused and victims who may still be living. If the information be donated to any place in Texas, should it be sealed for a period of time to ensure protections for all people named in the documents? Or should it be protected and made available to scholars conducting research on capital punishment after their study has gained clearance from the TAMU IRB? What limitations and protections, if any, should be put in place? Such questions should be considered when thinking about making donations of archival data from any source.

The second concern was regarding the level of rights and protections afforded to the university with the archival data representing university property. In the past, on a couple of different occasions the State of Texas had tried to subpoena the participant to

pass all of the information related to capital punishment over to them. Because it was personal property, the participant was able to maintain care and custody of the information and artifacts. However, much of the data requested by the state in earlier time has been sent to other institutions outside of the State of Texas that work towards exonerating innocent people who sit on death row. While perhaps not likely, but given even the slightest possibility, should this data be donated to a presidential library and museum or a university library that preserves historical artifacts of Texas' history, would these facilities be required to transfer the information to the state and quite possibly be lost and/or destroyed, should they make such a request? Would such a request be easier granted since the university is an institution of the state? These were questions that came to mind as both a student and researcher.

Historical Preservation

Another question posed after my study was approved was on whether or not the interview tapes could be donated to the university library that preserves data and artifacts of both the university and the State of Texas. The answer to the question was no because my protocol stipulated that the interview tapes would be destroyed after a certain period of time to protect the participants in this study. One's identity could certainly be disclosed through the tapes. However, in retrospect, had it been made known there were such interests in preserving this type of data on the history of Texas at the university, it might have been possible when creating the research design for this study to set up the protocol in a way that might have allowed the tapes to be preserved at the university

library. In doing so the same level of protections would have had to been upheld that satisfied both the NIMH and TAMU IRB.

One way that could have been accomplished was through first, getting the permission from the participants in this study to allow the interview tapes to be preserved at the university library and second, have them sealed for a certain period of time (50-years for example). Most all the participants in this study were at the age of retirement. Sealing the tapes for a certain time period would ensure no social or other type of harms could be done to the participants. But any attempts to preserve the interview tapes and materials in an archival library would require the plans and safety preserved for the participants in the study to be carefully addressed in the protocol.

It is recommended to researchers who conduct qualitative research that involves taped interviews, particularly on topics that are rarely studied and capture unique and/or sensitive history very much hidden to mainstream society, to consider the possibility of having interview data preserved in a university library so they can be used by others for future research studies. Because such data is irreplaceable, the historical value is priceless. In the case of this study, it is likely that many of the participants would not have had a problem having the tapes preserved in such a manner. Some may not have agreed, but likely several would have been fine with that particularly if it were done in a professional, safe, and responsible manner.

CLOSING THOUGHTS

This research set out to explore the impact capital punishment has on retired prison employees who have worked with the death penalty, and further, identify whether

the work related conditions pertaining to executions was sufficient to ensure there were no negative effects. This research found that virtually no safeguards were set in place for these workers. The workers were not trained to work with death in the sense of having formal training in death and dying related courses or courses on grieving or other related human emotions that are related to death and dying. It would seem that the state would take extra precautionary measures to protect the employees given that taking a life is quite different than learning that somebody has passed on.

This research argues that the reason the prison did not provide adequate formal training in death and dying for the execution teams is because that would be in fundamental conflict with the religious and political ideologies the states uses to justify their practice of capital punishment. Formal training would involve humanizing the people they were executing through sound and competent education, regardless of how terrible the acts of the death row inmates were. Legitimate education in any field cannot condone or justify capital punishment. In addition, the medical field does not support capital punishment, so putting prison medical professionals in positions to work with prison employees who were on execution teams would have created a professional conflict of interest in a manner that suggested their professional fields were legitimating the death penalty. The respondents in this study explained no prison medical staff was involved with the executions. Any medical professionals that were involved were volunteers from outside the prison institution (as with the physician that declares the deaths, and so on). Religious authority that reflected pro-capital punishment positions

was the only source of authority that could be found to legitimate capital punishment in Texas.

All people are born into the world as innocent infants. The circumstances they are born into, the socialization that takes place, the chances they are given to succeed or fail, and just plain luck or lack of along the way, to name a few possibilities, play important roles in what people will or will not do in different circumstances and the motives behind their actions. From a deterministic standpoint, most people commit murder because of the specific conditions they are in at that very particular moment in time, as when virtually any other actions can take place. In short, they are responding to their environments. If their conditions were different, chances are they would act otherwise. Such examples are related to people who commit murder while under the influence of substances or out of desperations related to poverty. But the same equally holds true for people who agree to work with capital punishment. In the case of prison employees, all of the conditions were necessary for them to be socialized into an environment that required mastering their roles as the keepers of the condemned and ultimately in environments that legitimated capital punishment. Had these folks been in different environments under different conditions, etc., they would have never partaken in the act of taking somebody else's life, or many lives for that matter. And one only has to imagine the same correction officers working in a different state where capital punishment has been abolished or is on the books, but not practiced. Their viewpoints could be radically different.

Sammie, whom had extensive experience in working with the death row populations said that s/he could guarantee most any human being is capable of taking the life of another person, they just have to be put in the right circumstances. People may take the life of another for many different possible reasons be it out of self-defense, in a different state of mind induced or not, to help put people out of their own suffering as with Washington State's euthanasia or "Death with Dignity" laws, and a number of other possible reasons including working with capital punishment. But capital punishment, at least with relation to state and national policies, is the most difficult to grapple with because it is the government/state that is ordering and legitimating, what the participants in this study had quite frankly referred to as "murder" backed up with the "cause of death" on the deceased's death certificates marked as "homicide."

In a more equal and humane society, murder and other types of harms against others would be reduced significantly, whether the potential murders occur in the larger society or within the walls of the prison institutions. The participants in this study did recognize this to some degree, as they highlighted where those sentenced to death come from—those who disproportionately come from poverty and oppression out of the two largest metropolitan areas in the state. When people's needs are legitimately met and society is more inclusive, better education is made available to all people, as well as the overall quality of life improved for those who are socially neglected, most people will choose the path that brings them the most success.

The participants in this study had said that the two most difficult groups to execute were women and young men, as too often the young men had barely even begun

their lives before they were put in prison. While several participants in this study suggested nevertheless, the law is the law, Robin poignantly reminds us that laws can be changed and they change all the time. There is no reason capital punishment is the one law or state sanctioned custom out of the many others that must remain permanent and unchangeable, not just in the State of Texas, but anywhere in the U.S. And a related point is the only sure way to ensure nobody, including prison employees, is harmed by the practice of capital punishment is to abolish it. And in closing, Reverend Pickett reminds us too, through demonstration of his own personal testimony, that people can and do change too. As humans, we are naturally made up with many different emotions that range from anger and rage to mercy and forgiveness, but it is the latter that we all as humans, regardless of our own religious beliefs, ethnic groups, state affiliations, nationality, etc., must strive for to make this world a better place for all people.

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